

MTC-00012283

From: Edward Kirk Middleton
To: Microsoft Settlement
Date: 1/15/02 6:11pm
Subject: Microsoft Settlement
Edward Kirk Middleton
8553 Fairforest Rd.
Spartanburg, SC 29303
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies. Thank you for this opportunity to share my views.

Sincerely,

Edward Kirk Middleton

MTC-00012284

From: Kenneth Pelkey
To: Microsoft Settlement
Date: 1/15/02 9:31pm
Subject: Microsoft Settlement
Kenneth Pelkey
707 Oceanside Blvd. Suite C
Oceanside, CA 92054
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Sincerely,

Kenneth J. Pelkey

MTC-00012285

From: George Godwin
To: Microsoft Settlement
Date: 1/15/02 8:39pm
Subject: Microsoft Settlement
George Godwin
1212 Summit St
Dothan, AL 36301
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Sincerely,

Mr. & Mrs. George Godwin

MTC-00012286

From: rramos@inroads.org@inetgw
To: Microsoft ATR
Date: 1/15/02 11:41pm
Subject: Dept of Justice on Microsoft Litigation

It is about time that we finally settle this unfair lawsuit against Microsoft filed by rival companies of Microsoft. Most of these supposedly concerned companies are actually interested only in getting more money for themselves and do not necessarily have the public welfare in mind. Given the same position that Microsoft had in the computer field who knows what they would have done. "He who is without sin let him cast the first stone." Let us settle this case finally and allow good, viable companies like Microsoft to go on with their projects. Let us stop the government from spending too much

money in useless litigation and finalize this once and for all. Most companies especially, technology companies are already suffering from this great economic slowdown and adding to this is such unsure and wasteful litigation that has dragged on for so long. Let this case be settled now. Microsoft is agreeing to the settlement conditions, what more do these companies want?

CC: staffm@microsoft.com@inetgw

MTC-00012287

From: Edward D'Ovidio
To: Microsoft Settlement
Date: 1/15/02 9:29pm
Subject: Microsoft Settlement
Edward D'Ovidio
835 Hermitage Ridge
Hermitage, TN 37076
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,

Edward D'Ovidio

MTC-00012288

From: Wayne Noll
To: Microsoft Settlement
Date: 1/15/02 8:53pm
Subject: Microsoft Settlement
Wayne Noll
2021 Cameo Vista Dr.
West Covina, Ca 91791
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the

courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,
Wayne Noll

MTC-00012289

From: George Roy, Jr.
To: Microsoft Settlement
Date: 1/15/02 5:35pm
Subject: Microsoft Settlement
George Roy, Jr.
626 U.S. Rt. #1
Scarborough, ME 04074
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,
George E. Roy, Jr.

MTC-00012290

From: W R Jackson, Jr.
To: Microsoft Settlement
Date: 1/15/02 8:42pm
Subject: Microsoft Settlement
W R Jackson, Jr.
55 Burbank Lane
Yarmouth, ME 04096
January 15, 2002

Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,
W R Jackson Jr

MTC-00012291

From: Michael Bosworth
To: Microsoft Settlement
Date: 1/15/02 9:48pm
Subject: Microsoft Settlement
Michael Bosworth
10212 Altavista Ave. Apt. 103
Tampa, FL 33647
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,
Michael Bosworth

MTC-00012292

From: Marjorie Kasten
To: Microsoft Settlement
Date: 1/15/02 9:32pm
Subject: Microsoft Settlement
Marjorie Kasten
360 Grandview Ave
Bangor, ME 04401-3226
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,
Marjorie Kasten

MTC-00012293

From: Susan Sabol
To: Microsoft Settlement
Date: 1/15/02 8:46pm
Subject: Microsoft Settlement
Susan Sabol
9047 Blackhawk Lane
Indianapolis, IN 46234
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry.

It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,
Susan Sabol

MTC-00012294

From: Horst Ehrhardt
To: Microsoft Settlement
Date: 1/15/02 7:18pm
Subject: Microsoft Settlement
Horst Ehrhardt
143 Walden Ridge Dr.
Crossville, TN 38558
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,
Horst Ehrhardt

MTC-00012295

From: Patricia Isaak
To: Microsoft Settlement
Date: 1/15/02 6:48pm
Subject: Microsoft Settlement
Patricia Isaak
4201 Bonita Road, Apt. 242
Bonita, CA 91902
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a

serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,
Patricia A. Isaak

MTC-00012296

From: Michael Freeman
To: Microsoft Settlement
Date: 1/15/02 8:59pm
Subject: Microsoft Settlement
Michael Freeman
413 Columbia Ave.
Lumberton, NC. 28358
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,
Michael Freeman

MTC-00012297

From: Richard Hathaway
To: Microsoft Settlement
Date: 1/15/02 5:56pm

Subject: Microsoft Settlement

Richard Hathaway
2040 Duck Lake Rd.
Whitehall, MI 49461
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,
Richard G. Hathaway

MTC-00012298

From: Ludmila Foster
To: Microsoft Settlement
Date: 1/15/02 5:26pm
Subject: Microsoft Settlement
Ludmila Foster
307 Yopakum Pkwy, Apt.1214
Alexandria, VA 22304
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Sincerely,
Ludmila A. Foster

MTC-00012299

From: Cosmo Stallone
To: Microsoft Settlement
Date: 1/15/02 8:51pm
Subject: Microsoft Settlement
Cosmo Stallone
804 Cooks Brook Road
Roscoe, NY 12776-7102
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Sincerely,
Cosmo Stallone

MTC-00012300

From: Susan Dzienius
To: Microsoft Settlement
Date: 1/15/02 7:20pm
Subject: Microsoft Settlement
Susan Dzienius
10015 Paseo Montril
San Diego, CA 92129-3916
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Sincerely,
Susan Dzienius

MTC-00012301

From: Dotti Hernandez
To: Microsoft Settlement
Date: 1/15/02 5:20pm
Subject: Microsoft Settlement
Dotti Hernandez
2813 Thornton Ct. #3
Modesto, CA 95350-2036
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,
Dotti Hernandez

MTC-00012302

From: Frank Reagor
To: Microsoft Settlement
Date: 1/15/02 5:38pm
Subject: Microsoft Settlement
Frank Reagor
406 Webb Road West
Bell Buckle, TN 37020-4045
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,
R. Frank Reagor

MTC-00012303

From: Douglas Martin
To: Microsoft Settlement
Date: 1/15/02 7:42pm
Subject: Microsoft Settlement
Douglas Martin
5409 Lemhi Court
North Las Vegas, NV 89031-0517
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Sincerely,
Douglas J. Martin

MTC-00012304

From: William Staskel

To: Microsoft Settlement
Date: 1/15/02 7:36pm
Subject: Microsoft Settlement
William Staskel
14 First Avenue
Central Islip, NY 11722-3010
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,

William J. Staskel

MTC-00012305

From: Nathan M. Linowitz
To: Microsoft Settlement
Date: 1/15/02 8:29pm
Subject: Microsoft Settlement
Nathan M. Linowitz
217 East Hanover St
Trenton, NJ 08608
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,

Nathan M. Linowitz

MTC-00012306

From: franklin neabitt
To: Microsoft Settlement
Date: 1/15/02 6:05pm
Subject: Microsoft Settlement
franklin neabitt
506 rainbow blvd
lady lake, fl 32159-6415
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Sincerely,

franklin nesbitt

MTC-00012307

From: Arlen Gastineau
To: Microsoft Settlement
Date: 1/15/02 9:14pm
Subject: Microsoft Settlement
Arlen Gastineau
6423 Edge-o-Grove Circle
Orlando, FL 32819
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Sincerely,

Arlen Gastineau

MTC-00012308

From: John Brady, Sr.
To: Microsoft Settlement
Date: 1/15/02 8:56pm
Subject: Microsoft Settlement
John Brady, Sr.
1208 Brampton Pl.
Heathrow, FL 32746-5027
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Yours truly,

John X. Brady, Sr.

MTC-00012309

From: Maxie M. Kennedy
To: Microsoft Settlement
Date: 1/15/02 9:49pm
Subject: Microsoft Settlement
Maxie M. Kennedy
414 Aaron Johnson Ln
Kinston, NC 28504-7735
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Maxie M Kennedy

MTC-00012310

From: Joshua Harmon

To: Microsoft Settlement

Date: 1/15/02 7:33pm

Subject: Microsoft Settlement

Joshua Harmon

104B Biltmore Drive

Greenville, SC 29601-4330

January 15, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Josh Harmon

MTC-00012311

From: Margaret Alkinc

To: Microsoft Settlement

Date: 1/15/02 8:25pm

Subject: Microsoft Settlement

Margaret Alkinc

177 West Newell Avenue

Rutherford, NJ 07070

January 15, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Margaret Alkinc

MTC-00012312

From: David Hougen

To: Microsoft Settlement

Date: 1/15/02 7:07pm

Subject: Microsoft Settlement

David Hougen

19502 Encino Spur St.

San Antonio, Tx 78259-2305

January 15, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

David A Hougen

MTC-00012313

From: Charles Cooper

To: Microsoft Settlement

Date: 1/15/02 7:53pm

Subject: Microsoft Settlement

Charles Cooper

7817 South State Route 555

Chesterhill, OH 43728

January 15, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Charles A Cooper

MTC-00012314

From: Gerald Zellar

To: Microsoft Settlement

Date: 1/15/02 9:57pm

Subject: Microsoft Settlement

Gerald Zellar

81341 420th Ave

Lakefield, MN 56150

January 15, 2002

Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Gerald Zellar

MTC-00012315

From: Rachel Wade
To: Microsoft Settlement
Date: 1/15/02 7:56pm
Subject: Microsoft Settlement
Rachel Wade
197 Lazy Creek Dr
Rustburg, VA 24588
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Rachel Wade

MTC-00012316

From: Charlton Todd
To: Microsoft Settlement
Date: 1/15/02 7:50pm
Subject: Microsoft Settlement
Charlton Todd
919 Briarcliff Lane
Blackshear, GA 31516
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Charlton D. Todd

MTC-00012317

From: Gina Jackson
To: Microsoft Settlement
Date: 1/15/02 5:27pm
Subject: Microsoft Settlement
Gina Jackson
1630 Sawyer Avenue
West Covina, CA 91790
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Gina M. Jackson

MTC-00012318

From: Lewis Van Horn
To: Microsoft Settlement
Date: 1/15/02 8:09pm
Subject: Microsoft Settlement
Lewis Van Horn
11 Sunset Drive
Howell, NJ 07731-2766
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Lewis O. Van Horn

MTC-00012319

From: Alex Vert
To: Microsoft Settlement
Date: 1/15/02 8:20pm
Subject: Microsoft Settlement
Alex Vert
1104 Minneapolis St.

Sault Ste. Marie, MI 49783-3124

January 15, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Alex R. Vert

MTC-00012320

From: Robert Adams
To: Microsoft ATR
Date: 1/15/02 11:38pm
Subject: Microsoft Settlement

I ask that you seek to dismiss the case against Microsoft and allow them to

I ask that you seek to dismiss the case against Microsoft and allow them to continue to create and innovate in a free market environment. If there were TRUE competition, i.e. GOOD alternative software, people would be lining up to use it and BUY it. However, that is not the case, therefore the providers of inferior products have chosen to spend their money on attorneys rather than research and development. Let us put this lawsuit behind us so that Microsoft can get on with the business of doing business and not protecting themselves from frivolous lawsuits.

Sincerely,
Robert C. Adams
St. Louis, MO

MTC-00012321

From: Randall Gosh
To: Microsoft Settlement
Date: 1/15/02 9:51pm
Subject: Microsoft Settlement
Randall Gosh
816 Williams Avenue
South Milwaukee, WI 53172-3860
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Randall Gosh

MTC-00012322

From: Paul Toland
To: Microsoft Settlement
Date: 1/15/02 9:53pm
Subject: Microsoft Settlement
Paul Toland
484 Lake Park Avenue, #145
Oakland, Ca 94610-2730
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Paul R Toland

MTC-00012323

From: Myrtice Walker
To: Microsoft Settlement
Date: 1/15/02 7:32pm
Subject: Microsoft Settlement
Myrtice Walker
1064 Horseshoe Rd
Augusta, GA 30906
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Myrtice J. Walker

MTC-00012324

From: Raymond Best
To: Microsoft Settlement
Date: 1/15/02 7:45pm
Subject: Microsoft Settlement
Raymond Best
2364 W. Charteroak Dr.
Prescott, AZ 86305
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Raymond Best

MTC-00012325

From: Lonnie Wendling
To: Microsoft Settlement
Date: 1/15/02 6:00pm
Subject: Microsoft Settlement
Lonnie Wendling
1614 Petri Place
San Jose, CA 95118
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Lonnie Wendling

MTC-00012326

From: Jeffrey Mathews
To: Microsoft Settlement
Date: 1/15/02 9:00pm
Subject: Microsoft Settlement
Jeffrey Mathews
10654 W 200 South
Westville, IN 46391-9639
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Jeffrey J Mathews

MTC-00012327

From: Bernt Martinson
To: Microsoft Settlement
Date: 1/15/02 8:33pm
Subject: Microsoft Settlement
Bernt Martinson
1413 Cummings Ave
Eau Claire, WI 54701
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Microsoft Settlement:

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Sincerely,
Bernt P. Martinson

MTC-00012328

From: Phyllis L Sherkus
To: Microsoft Settlement
Date: 1/15/02 8:34pm
Subject: Microsoft Settlement
Phyllis L Sherkus
2502 York Court
Dunkirk, MD 20754
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Phyllis L Sherkus

MTC-00012329

From: Richard Nigro
To: Microsoft Settlement
Date: 1/15/02 5:47pm
Subject: Microsoft Settlement
Richard Nigro
2591 Rocky Springs Drive
Marietta, GA 30062-4477
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Richard M. Nigro

MTC-00012330

From: Sheryl Vanderwalker
To: Microsoft Settlement
Date: 1/15/02 7:22pm
Subject: Microsoft Settlement
Sheryl Vanderwalker
P.O. Box 142
Enumclaw, wa 98022
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Sheryl A. Vanderwalker

MTC-00012331

From: Florence Stoltzfus
To: Microsoft Settlement
Date: 1/15/02 6:26pm
Subject: Microsoft Settlement
Florence Stoltzfus
907 Surry Dr
Shelby, NC 28152
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Florence Jean Stoltzfus

MTC-00012332

From: Charles White
To: Microsoft Settlement
Date: 1/15/02 5:50pm
Subject: Microsoft Settlement
Charles White
1300 Miller Place Drive
Bryant, AR 72022
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Charles L. White

MTC-00012333

From: Kurt Bonifay, Sr.
To: Microsoft Settlement
Date: 1/15/02 7:55pm
Subject: Microsoft Settlement
Kurt Bonifay, Sr.
8113 Monticello Dr
Pensacola, FL 32514
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Kurt E. Bonifay Sr.

MTC-00012334

From: Kathryn Rodriguez
To: Microsoft Settlement
Date: 1/15/02 9:43pm
Subject: Microsoft Settlement
Kathryn Rodriguez
4841 Carol Drive
Troy, MI 48098-5707
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Kathryn Rodriguez

MTC-00012335

From: Manfred Kremkus

To: Microsoft Settlement

Date: 1/15/02 8:33pm

Subject: Microsoft Settlement

Manfred Kremkus

P.O. Box 1304

San Marcos, TX 78667-1304

January 15, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW.,

Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Manfred Kremkus

MTC-00012336

From: Susan Reese

To: Microsoft Settlement

Date: 1/15/02 8:48pm

Subject: Microsoft Settlement

Susan Reese

2000 Miller Island Road W.

Klamath Falls, OR 97603

January 15, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW.,

Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Susan Reese

MTC-00012337

From: Brian Connett

To: Microsoft Settlement

Date: 1/15/02 8:29pm

Subject: Microsoft Settlement

Brian Connett

9542 Swinton Avenue

North Hills, CA 91343-1926

January 15, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW.,

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

Brian I. Connett

MTC-00012338

From: Andrew Guerrasio

To: Microsoft Settlement

Date: 1/15/02 5:53pm

Subject: Microsoft Settlement

Andrew Guerrasio

102 Southaven Ave

Medford, NY 11763

January 15, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Andrew Guerrasio

MTC-00012339

From: Nancy Z. Mayer

To: Microsoft Settlement

Date: 1/15/02 8:42pm

Subject: Microsoft Settlement

Nancy Z. Mayer

RR3 Box 203

Killeen, TX 76549-0311

January 15, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Nancy Z. Mayer

MTC-00012340

From: Frank K Duerst
To: Microsoft Settlement
Date: 1/15/02 7:40pm
Subject: Microsoft Settlement
Frank K Duerst
17200 WQ Bell Rd #225
Surprise, Az 85374
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Frank K Duerst

MTC-00012341

From: Janet Staskel
To: Microsoft Settlement
Date: 1/15/02 7:36pm
Subject: Microsoft Settlement
Janet Staskel
14 First Avenue

Central Islip, NY 11722-3010
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Janet Staskel

MTC-00012342

From: Thomas Meeker
To: Microsoft Settlement
Date: 1/15/02 5:51pm
Subject: Microsoft Settlement
Thomas Meeker
201 Rio Vista Drive
Cibolo, TX 78108-4205
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Thomas Meeker

MTC-00012343

From: Anne N. McClure
To: Microsoft Settlement
Date: 1/15/02 7:58pm
Subject: Microsoft Settlement
Anne N. McClure
44141 Foxy Lane
Ahwahnee, Ca 93601
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Anne N. McClure

MTC-00012344

From: Timothy B. Baker
To: Microsoft Settlement
Date: 1/15/02 7:04pm
Subject: Microsoft Settlement
Timothy B. Baker
8n Wonderwood Drive
Greenville, SC 29615-1231
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the

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Thank you for this opportunity to share my views.

Sincerely,
Timohty B. Baker

MTC-00012345

From: Sydney Corbett
To: Microsoft Settlement
Date: 1/15/02 5:54pm
Subject: Microsoft Settlement
Sydney Corbett
231 SE 45th Terrace
Ocala, FL 34471-3224
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

It's time to let Microsoft get back to the business of producing good products and creating jobs for the American workers. The Microsoft trial squandered taxpayers' dollars and was a serious deterrent to investors in the high-tech industry. Consumers should see competition in the marketplace, rather than the courtroom. With the economy the way it is now, we should be encouraging businesses, not slapping them down! Most Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, instead of wasting valuable resources on litigation.

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Thank you for this opportunity to share my views.

Sincerely,
Sydney B. Corbett

MTC-00012346

From: Paul Christoffersen
To: Microsoft Settlement
Date: 1/15/02 7:30pm

Subject: Microsoft Settlement
Paul Christoffersen
23728 RD 15 3/4
Chowchilla, CA 93610
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Paul Christoffersen

MTC-00012347

From: Rosalind Berg
To: Microsoft Settlement
Date: 1/15/02 7:06pm
Subject: Microsoft Settlement
Rosalind Berg
1847 2335 Road Box 57
Cedaredge, CO 81413
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Rosalind R. Berg

MTC-00012348

From: James D. Austraw
To: Microsoft Settlement
Date: 1/15/02 7:15pm
Subject: Microsoft Settlement
James D. Austraw
320 East 170 South
Ivins, UT 84738
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
James D. Austraw

MTC-00012349

From: Barbara C. Pink
To: Microsoft Settlement
Date: 1/15/02 6:24pm
Subject: Microsoft Settlement
Barbara C. Pink
4080 Orchard Road
The Dalles, OR 97058
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the

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Thank you for this opportunity to share my views.

Sincerely,

David H. & Barbara C. Pink

MTC-00012350

From: Sarah Morales
To: Microsoft Settlement
Date: 1/15/02 5:57pm
Subject: Microsoft Settlement
Sarah Morales
3005 A Portertown Road
Greenville, NC 27858
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Sarah Morales

MTC-00012351

From: Gladys Joyce Melton

To: Microsoft Settlement
Date: 1/15/02 5:39pm
Subject: Microsoft Settlement
Gladys Joyce Melton
6310-11 Glacier Hwy
Juneau, AK 99801
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Joyce Melton

MTC-00012352

From: Mark Sheppard
To: Microsoft Settlement
Date: 1/15/02 5:37pm
Subject: Microsoft Settlement
Mark Sheppard
633 Elise Drive
Redlands, CA 92374-2134
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Mark Sheppard

MTC-00012353

From: Charles Hoffman
To: Microsoft Settlement
Date: 1/15/02 7:03pm
Subject: Microsoft Settlement
Charles Hoffman
4939 Windsor Gate Court
Morganton, NC 28655
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement: The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

Charles B. Hoffman

MTC-00012354

From: Rose Mary Vaughan
To: Microsoft Settlement
Date: 1/15/02 8:30pm
Subject: Microsoft Settlement
Rose Mary Vaughan
5720 Beaumont Place
El Paso, TX 79912
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a

serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Rose Mary Vaughan

MTC-00012355

From: Gregory Morneau
To: Microsoft Settlement
Date: 1/15/02 8:53pm
Subject: Microsoft Settlement
Gregory Morneau
8749 Kilbirnie Terrace
Brooklyn Park, MN 55443
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:
The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Gregory Morneau

MTC-00012356

From: Joan Gillett
To: Microsoft Settlement
Date: 1/15/02 8:30pm
Subject: Microsoft Settlement
Joan Gillett
1911 Wealthy Street S. E.
Grand Rapids, MI 49506
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:
The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Joan F. Gillett

MTC-00012357

From: Richard S. Marsh
To: Microsoft Settlement
Date: 1/15/02 8:07pm
Subject: Microsoft Settlement
Richard S. Marsh
4122 Janet Drive
Dorr, MI 49323
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:
The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Richard S. Marsh

MTC-00012358

From: Matthew Terhune
To: Microsoft Settlement
Date: 1/15/02 5:35pm
Subject: Microsoft Settlement
Matthew Terhune
3938 Lott Ave.
Corpus Christi, TX 78410-6033
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:
The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Matthew Terhune

MTC-00012359

From: Charles E. Layne
To: Microsoft Settlement
Date: 1/15/02 6:45pm
Subject: Microsoft Settlement
Charles E. Layne
615 Revere Ave
Ft Walton Bch, FL 32547
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Charles E. Layne

MTC-00012360

From: Anthony Mangan
To: Microsoft Settlement
Date: 1/15/02 8:37pm
Subject: Microsoft Settlement
Anthony Mangan
155 Quail Hollow Drive
San Jose, Ca 95128-4544
January 15, 2002
Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Anthony Mangan

MTC-00012361

From: Eleanor Smith
To: Microsoft Settlement
Date: 1/15/02 9:06pm
Subject: Microsoft Settlement
Eleanor Smith
6042 Cartagena St.
Houston, Tx 77035-4116
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

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Thank you for this opportunity to share my views.

Sincerely,

Eleanor B. Smith

MTC-00012362

From: Joe Thompson
To: Microsoft Settlement
Date: 1/15/02 8:19pm
Subject: Microsoft Settlement
Joe Thompson
45438 St Georges Ave P O Box 40
Piney Point, MD 20674
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Joe Thompson

MTC-00012363

From: Irene DeMpss
To: Microsoft Settlement
Date: 1/15/02 9:50pm
Subject: Microsoft Settlement
Irene DeMpss
3320 Parksie Drive
San Bernardino, Ca 92404-2408
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Irene DeMpss

MTC-00012364

From: Evelyn Aseltine
To: Microsoft Settlement
Date: 1/15/02 7:29pm
Subject: Microsoft Settlement
Evelyn Aseltine
3111 Platt Place South
Ypsilanti, MI 48197-6644
January 15, 2002

Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Evelyn G. Aseltine

MTC-00012365

From: Russ Christianson
To: Microsoft Settlement
Date: 1/15/02 5:28pm
Subject: Microsoft Settlement
Russ Christianson
P.O. Box 243
Lake Mills, WI 53551-0243
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

Russ Christianson

MTC-00012366

From: Elizabeth Conner
To: Microsoft Settlement
Date: 1/15/02 7:31pm
Subject: Microsoft Settlement
Elizabeth Conner
8502 E Chapman Avenue PMB 374
Orange, CA 92869
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Elizabeth D. Conner

MTC-00012367

From: James Schaer
To: Microsoft Settlement
Date: 1/15/02 6:43pm
Subject: Microsoft Settlement
James Schaer
P.O. Box 744; 1570 Maple Ave.
North Bend, Or 97459
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

James M. (Mike) Schaer

MTC-00012368

From: Bonvc@aol.com@inetgw
To: Microsoft ATR
Date: 1/15/02 11:42pm
Subject: Microsoft Settlement

To the United States Department of Justice:

I am urging you to settle the Microsoft antitrust case. The provisions of the agreement are tough, reasonable, fair to all parties involved and go beyond the findings of the Court of Appeals ruling. This settlement is good for consumers and for the American economy. We need to move on. This settlement is indeed in the public interest and I, as a consumer, believe it is critical that that we move beyond this litigation. Thank you.

Sincerely,

Bonnie Carlson

3646 Lovejoy Court N.E.

Olympia, WA 98506

MTC-00012369

From: John & Jean anne Morrow
To: Microsoft Settlement
Date: 1/15/02 8:09pm
Subject: Microsoft Settlement
John & Jean anne Morrow
1998 Prescott Lakes Parkway
Prescott, AZ 86301
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers.

With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

John & Jean Anne Morrow

MTC-00012370

From: Carroll Neblett
To: Microsoft ATR
Date: 1/15/02 11:42pm
Subject: Microsoft Settlement

I want to express my support for the acceptance and finalization of the Microsoft Anti-trust settlement, and an end to the litigation.

I am only a consumer, but I have been an active buyer and user of personal computers and computer software for more than 10 years. I believe that Microsoft has been instrumental in developing software products that have benefited consumers, business and the U.S. economy.

While I cannot speak to any non-competitive improprieties that Microsoft may have committed, I cannot imagine that any more rapid or beneficial development of the capabilities of personal computers could have occurred under any circumstances, no matter how competitive. I don't believe that any more rapid or aggressive availability of computer technology could have been assimilated by the public and business, under any circumstances.

I believe it is time finalize the Settlement and put the Microsoft Anti-trust Case behind us. I think to do otherwise and continue to let the case drag on will hurt consumers, business, and potentially the U.S. economy and its competitive position in the World economy relative to technology leadership.

I will appreciate your consideration of my opinion.

Carroll Neblett
11520 Drysdale Drive
Richmond, VA 23226

MTC-00012371

From: William A. Pauwels, Sr.
To: Microsoft ATR
Date: 1/15/02 11:43pm
Subject: Microsoft Settlement

The case against Microsoft should be dropped. Microsoft has made GREAT contributions to the well-being of mankind and to its institutions.

The Justice Dept.'s persecution of SUCCESSFUL American companies because their competitors don't like them and/or can't measure-up in the marketplace, is ridiculous.

If the Justice Dept. is looking for something to champion, why not go after the thousands of FOREIGN companies doing business in the USA while violating American Antitrust Laws.

Sincerely,
William A. Pauwels, Sr.
1-15-02

MTC-00012372

From: Mark Scherer
To: Microsoft Settlement
Date: 1/15/02 6:41pm
Subject: Microsoft Settlement
Mark Scherer
P.O. Box 9720
Rancho Santa Fe, CA 92067
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies. Focus your attention on the abuses of the airline and oil industry just to name a few.

Thank you for this opportunity to share my views.

Sincerely,
Mark Scherer

MTC-00012373

From: C. Warren & Marlene Stelly
To: Microsoft Settlement
Date: 1/15/02 7:37pm
Subject: Microsoft Settlement
C. Warren & Marlene Stelly
210 Creekwood Drive
Lafayette, LA 70503
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement: The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry, although it wasn't quite as anti-business as OBL. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over,

companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

Charles W. Stelly

MTC-00012374

From: LelaOmta@aol.com@inetgw
To: Microsoft ATR
Date: 1/15/02 11:45pm
Subject: Microsoft Settlement

I am completely in favor of settling the Microsoft case now! Lela Omta

MTC-00012375

From: Dean Isenberger
To: Microsoft Settlement
Date: 1/15/02 8:01pm
Subject: Microsoft Settlement
Dean Isenberger
PO Box 1377
Black Canyon City, AZ 85324
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies. I truly feel that Microsoft was erroneously singled out in this whole fiasco.

Thank you for this opportunity to share my views.

Sincerely,

Dean Isenberger

MTC-00012376

From: david said

To: Microsoft ATR
Date: 1/15/02 11:49pm
Subject: Microsoft Settlement

Let's get this thing settled according to the already agreed upon ruling!! We have already wasted enough of the public's money just to satisfy some over-inflated egos!

Thank You!
David M. Said,
Olympia, WA

MTC-00012377

From: Paul Ericson
To: Microsoft ATR
Date: 1/15/02 11:50pm
Subject: Microsoft Settlement

It is time to settle the MicroSoft case. It is in the interest of the American consumer to be protected from the harm that will come from the continued harassment of a great American company named MicroSoft. Please take actions the will settle this case in a fair and equitable manner. Small businesses need companies like MicroSoft to innovate business solutions that will enhance our American Economy both now and into the future. Thank you.

Sincerely,
Paul E. Ericson, Business owner.
Ericson Enterprises
pericson@quixnet.net
63 Pleasant Street
Lunenburg, MA 01462

MTC-00012378

From: Edwin Lenfestey
To: Microsoft Settlement
Date: 1/15/02 7:14pm
Subject: Microsoft Settlement
Edwin Lenfestey
9209 East 40th Street
Tulsa, OK 74145-3715
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial has wasted enough of the taxpayers' dollars. The Governments continued interference in the marketplace at the behest of Microsoft's inept and whiney competitors constitutes a major nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers want competition in the marketplace, rather than the courtroom.

If and when the Government understands that we the consumers want this to end, only then will the investors who propel our economy finally breathe a sigh of relief.

A majority of Americans thought the Federal Government should not have instituted the action against Microsoft. So when the case is finally over, Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable time and resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than

bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Ed Lenfestey

MTC-00012379

From: William Butler
To: Microsoft Settlement
Date: 1/15/02 8:12pm
Subject: Microsoft Settlement
William Butler
449 Railroad Street
Flovilla, Ga 30216-2105
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views. The government approved the merger of Time-Warner and AOL. Is that any different than Microsoft? No. No one has to buy Microsoft. I have used their products for a while. I have gotten several items free.

Sincerely,
George Butler

MTC-00012380

From: Ellen Sowins
To: Microsoft Settlement
Date: 1/15/02 8:39pm
Subject: Microsoft Settlement
Ellen Sowins
92785 Knappa Dock Road
Astoria, OR 97103
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a

serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Microsoft deserves every penny they have made over the years—if I can use their products and not mess up on the internet!! They've made my computer safe and smart and very forgiving of my errors.

Sincerely,
Ellen Sowins

MTC-00012381

From: Ray Stanke
To: Microsoft ATR
Date: 1/16/02 12:06am
Subject: Microsoft Settlement

I am a taxpayer and the government continues to waste money. Impose light penalties to insure compliance with consumer requests, and get on with life. The battle is NOT with people who have and continue to provide jobs and security. Like the movie, Field of Dreams; if someone out there can build a better system, people will buy and not buy m/s. Stop this stupid and time consuming process and concentrate good things that have been and can be done.

MTC-00012382

From: Matt Katzer
To: Microsoft ATR
Date: 1/16/02 12:10am
Subject: Microsoft Settlement
Judge Colleen Kollar-Kotelly

I feel that Microsoft has been punished enough. It is time to end this action!

The 9 states do not have a case to stand on, and are just trying to get there names in the press.

It is one thing to prove that harm has been done, it is another thing to twist the legal system to support a personal vendetta against Microsoft.

Please end this farce and approve the settlement
Matt Katzer

MTC-00012383

From: Dianne0129@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 12:08am
Subject: Microsoft Settlement

I would like to see all states join in the settlement and end the litigation and lawsuits.

Thank you
Dianne Shanander

MTC-00012385

From: raw@usintouch.com@inetgw
To: Microsoft ATR
Date: 1/16/02 12:22am
Subject: Microsoft Settlement

This has been dragged out far too long already. The previously proposed settlement seems fair. Continuing pressure from Microsoft competitors, should not be allowed to drag this on any longer.

Robert A. Walser
raw@usintouch.com
P.O. Box 9689
Pahrump, NV 89060

MTC-00012386

From: Sharon Wood
To: Microsoft ATR
Date: 1/16/02 12:16am
Subject: Microsoft Settlement

To who it may concern,
The Microsoft settlement is a good thing. That's accept it and move on to other things. It is a good settlement for the company and the consumer.

Sincerely,
Sharon Wood

MTC-00012387

From: Neva
To: Microsoft ATR
Date: 1/16/02 12:19am
Subject: Microsoft Settlement

I'm twenty years old, and I've been using computers since I was a small child—I can't imagine a life without them. The first one I can remember properly was our Commodore 64. Seems ancient now, didn't even have a hard drive. And back then, I'd never heard of Microsoft, or Windows, or any of that. What, then, will happen twenty years from now if they're let off with a slap on the wrist? Will future generations ever be able to break away from them?

Please, do something to stop the bundling and hidden APIs and the control Microsoft holds over any manufacturer that wants to use their product. First it was Microsoft Windows, then Windows Media Player and Office and the fact that I can no longer stop using Internet Explorer even if I wanted to. . . what will it be for my kids?

MTC-00012388

From: Paul Osterhues BBA MCP
To: Microsoft ATR
Date: 1/16/02 12:24am
Subject: Microsoft Settlement

Please stop the bickering and settle this case as is. The settlement is fair and reasonable. The whiners are complaining that this will enable Microsoft to gain a foothold in the schools. No one wants a operating system in their classroom that can only supports less than 5 % of the software available on the market today. Mac writes all of their software except Office Suite. My experience with schools is that the Mac's and apples are located in the janitor closet collecting cobwebs and dust. The teachers are migrating away from the former platform

that is more expensive than Microsoft. You cannot run Mac on a Intel platform which businesses are donating to the school. There is only one vendor that sells the hardware for the Mac and that is Macintosh the manufacturer who is crying foul. If it was not for Microsoft who developed a office suite and also bailed them out from going bankrupt a couple of years ago, there would not be any computer platform for any Mac a holic to go to. If monetary amounts are imposed, their is no guarantee that the funds will actually show up in the needed schools classrooms as computer for the students. Case in point is our wonderful state of California and our pathetic schools in Los Angeles. The funds always get diverted to the special interest group who is supporting the corrupt system there.

Paul Osterhues

MTC-00012389

From: nathan liskov
To: microsoft.atr(a)usdoj.gov
Date: 1/16/02 12:27am
Subject: Microsoft Comments

One remedy that I think is very important to enhancing competition that has not been discussed widely in the press is the following:

Microsoft should publish the detailed formats for the files generated by their office suite programs. Any future changes in these formats should be published at least 4 months in advance of selling updates with format changes. For example, Word produces .DOC files, Excel produces .XLS files, etc. The format of these files is not published and other competitors must use reverse engineering to figure them out. This process is usually imperfect resulting in less than full compatibility. Ideally one should be able to take a .DOC file that someone has written using Microsoft Word, view it and edit it in a competing product (e.g. Lotus WordPro or WordPerfect) and send in back to the originator who is using Microsoft Word. Similarly for .XLS spreadsheet files or .PPT (Microsoft Powerpoint), and so on. With this approach we could have transparency of format allowing use of competing office suite products with full compatibility.

Thanks for your consideration,
Nathan Liskov

P.S. Microsoft should also be required to provide backward compatibility translators so that we will not be required to upgrade each office product each time an upgrade comes out. As it is, Microsoft uses this incompatibility technique to force its customers to continually upgrade, paying for the same program over and over again.

I don't do Windows!
home: nate@lcs.mit.edu
homepages: http://
nateliskov.ne.mediaone.net
http://people.ne.mediaone.net/nateliskov

MTC-00012390

From: GDomain4603@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 12:30am
Subject: Microsoft Settlement
January 15, 2002

Dear Sirs/Madams,
I truly believe that the Microsoft workers have intended, in their labors, no malice to

any via the software-items of their manufacture. It is just as true that anybody's computer-software is not harmful and is non-malignant. Were it lawful, it would, according to definition (of the word), be full of law. Might it have its own autonomy then, I ask? Also, might I query as to whether there is, maybe not as yet known, such a thing as the Department of Liberty to conjunct with the Department of Justice? Liberty and justice for all in re the Pledge of Allegiance.

In my judgment, the Microsoft group is innocent and God bless them, I say.

Sincerely from Geoffrey Doman
13900 Cohasset Street
Van Nuys, CA 91405-2501

MTC-00012391

From: Dale
To: Microsoft ATR
Date: 1/16/02 12:32am
Subject: Microsoft Settlement

Dear Sirs,
Please settle the Microsoft case, so we can get our economy moving again. I believe the case against Microsoft started our recession and the settlement will go along ways towards bringing us back again.

Thank you,
Dale Mcgee

MTC-00012393

From: Zemne
To: Microsoft ATR
Date: 1/16/02 12:44am
Subject: FINFLASH!

To whom it may concern,
Why doesn't the DOJ let Microsoft do what it does best and let the company continue to contribute to the rebuilding a sagging economy! If competitors would quit wasting taxpayers money suing and spend time trying to come up with new ideas it would make more sense.

Zemne@MSN.com

MTC-00012394

From: Linda M. Bettin
To: Microsoft ATR
Date: 1/16/02 12:52am
Subject: Microsoft Settlement

Dear Sirs;
I think, as a citizen, that it is time to settle this matter with Microsoft. It has drug on for far too long as it is. The American public has a far greater problem to deal with. It is time to make a settlement and let Microsoft do what it does best and that is to make software.

Thank You,
Linda Bettin

MTC-00012395

From: Don Nguyen
To: Microsoft ATR
Date: 1/16/02 12:54am
Subject: AntiTrust settlement

This is regarding the Microsoft settlement. I believe that the settlement has no teeth to it. This will allow Microsoft to do business as usual. Any settlement should actually remedy the situation instead of letting Microsoft continue to control the software market while only paying lip service to being fair to competitors. Although I currently use Microsoft's operating system and applications, it is not entirely a "free" choice.

Since Microsoft controls the market, I am forced to use their products so that I can be compatible with everyone else. (And with over 90 percent of the market, they obviously DO control the market and enjoy a monopoly.) This would not entirely be a negative thing IF Microsoft offered the best product out there. Microsoft continues to offer products that have serious bugs and do not work as advertised. I have been a dissatisfied user of their products since MS Windows 3.0 was offered. Since they control the market, the incentive to offer the most innovative AND stable products does not exist for them. They can offer a substandard product with the knowledge that most of their customers will eventually be FORCED to upgrade to the latest Microsoft product. Not only can Microsoft accomplish this without suffering any consequences, but they can then raise prices on the newest products to any level they wish. Consumers should have a better choice. Some viable competition in the software and operating systems markets would give us that. Do NOT let Microsoft off this time with just a slap in the wrist! They have gotten away with this too many times. The previous antitrust actions should be a lesson. Microsoft will not willingly comply with any settlement. (They may follow the letter of the law while spitting in the face of the spirit.) The settlement is a farce. Microsoft will be able to control their monopoly for a long time in the future if the settlement is not made stronger. The only people who benefit from this settlement are those at Microsoft. Not consumers. Do NOT let Microsoft fool you—they do NOT have the best interests of consumers in mind. They want to offer the least innovation and the least amount of stability for the highest price that they can get away with. Microsoft should be punished for their abuse of their monopoly. Thank you.

Don Nguyen
1253 Lindsay Street
Chula Vista, CA 91913

MTC-00012396

From: Frank Scafidi
To: Microsoft ATR
Date: 1/16/02 1:02am
Subject: Microsoft settlement

Enough of this case! If anyone cares to check, the singular event which caused the stock markets to slide into the basement was the outrageous decision by U.S. District Judge Thomas Penfield Jackson to fracture Microsoft into several parts. If nothing else, the degree to which Microsoft and its products have become the de facto standard in an environment which changes daily, Judge Jackson's decision placed the entire tech world, and, by extension, the new economy on a path to instability. As the appellate court correctly found, that remedy was too severe. Now, with settlement at hand, a few unhappy states are threatening to put their sole interests above the interest of the nation by refusing to accept the settlement agreed to by the Department of Justice and Microsoft. Further litigation of this matter offers nothing for the consumer—the intended beneficiary of the action in the first place—beyond that which has already been agreed. If anything, drawing this out

continues to hurt the consumer by diverting Microsoft's attention away from the creation of new products to defending a lawsuit whose issues are moot. Let's get off the back of one of the nation's most successful companies and end this case once and for all.

Frank G. Scafidi
Sacramento, CA

MTC-00012397

From: karsten koepcke
To: Microsoft ATR
Date: 1/16/02 1:10am
Subject: Microsoft Settlement.

This settlement is bogus. They will find a way to circumvent the law as they have in the past. Judge Jackson had the right idea. The only way to have any competition is to break up the company into the OS provider and the software provider. Period. But, apparently no one in government seems to care much about the people except that they should shut up and keep one eye closed to the activities in Washington DC MS's offer to give schools PC's and software is merely an effort to make sure that that next generation knows nothing else but their products. Are you people so insulated from the real world that you don't see what's going on. For them to "give away" a million or even 10 million dollars is about as effective as fining the ILECs a million or two dollars for illegal activities when they earn billions! The last president, it seems to me, with any backbone in this arena, seems to have been Roosevelt, Teddy that is.

Sincerely,
Karsten Koepcke

MTC-00012398

From: Kat Daley
To: Microsoft ATR
Date: 1/16/02 1:11am
Subject: Microsoft Settlement

I must comment on the Microsoft antitrust settlement. Microsoft has been the big stupid bully in the software game for far too long, stealing younger kids' lunch money and making them do its homework. And so far Microsoft's settlement offers are analogous to the bully saying, "Well, I wouldn't beat them up if they'd just fork it over. . . ."

I have been programming computers since 1977, when I was 12 and my father obtained a computer from a small firm in California. It used an operating system so similar to MS-DOS that I could switch with no difficulty to an MS-DOS computer years later. In fact, I could detect NO difference, which calls Microsoft's claim to "innovation" into question from the start. I have also observed that small programs created by small companies to do nice little innovative things have been stolen repeatedly by Microsoft, which only disgorged licensing fees after strenuous legal battles.

I have been forced to use Microsoft products for many years. In EVERY product, I have run up against faults which should have kept the product from being released. Instead, Microsoft has released these products and has created an environment in which program crashes and operating system errors are normal when they should be hideous exceptions.

When I have used Microsoft's programming libraries, I have consistently

run up against bugs which are simply unacceptable in a professionally made product. When system resources are gobbled up by a program and never released properly, it is the most basic of programming errors. No professional programmer should ever release a product which does this, since it will inevitably cause the computer's operating system to crash—especially one as delicate as Windows. Yet Microsoft has done so consistently.

In fact, I believe Microsoft has cost this country untold billions in code faults alone. Every programmer I have ever known has spent hours or days tracking or fixing bugs which would not be there if Microsoft's products performed as advertised. Every person I've worked with who has used Microsoft's products has a harrowing crash story to tell. Every computer I've ever used has crashed many times for no apparent reason while I was running Microsoft's applications.

In the interests of programmers everywhere, Microsoft must be forced to play nice instead of stomping all over the young smart companies with good ideas. At the very least, Microsoft must be forced to release all methods by which an application may communicate with the hardware of a computer through the operating system at least six months prior to operating system release. If Microsoft fails to comply, the operating system can not be sold to the public. And since Microsoft would undoubtedly give away the operating system free in that case if they thought they could make more money releasing Microsoft Office, NO APPLICATION utilizing the new operating system could be sold either. That is the VERY LEAST remedy which *might* level the playing field sufficiently to restore competition.

I'd really like to see Microsoft divided into an operating system company and an applications company, but the Justice Department has ruled against that. I'd like to see all of Microsoft's actions vetted by the Justice Department to keep them from harassing small companies with frivolous lawsuits and giving advantages to retailers who play their noncompetitive games. I'd like all of Microsoft's "intellectual property" declared public domain because that's where Microsoft stole it from in the first place. Until Microsoft gets more than a "bad boy" slap on the wrist, the USA will continue to lose untold billions to software inefficiency. Hackers—and terrorists, I'm sure—will continue to find easy access to most of the nation's computers. And I and many other programmers will stop programming from sheer frustration.

Sincerely,
Kathleen Daley
Former programmer

MTC-00012399

From: Larry Jubb
To: Microsoft Settlement
Date: 1/15/02 7:57pm
Subject: Microsoft Settlement
Larry Jubb
198 South 16th St.
San Jose, CA 95112-2152
January 15, 2002

Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars and failed to break up a hi-tech monopoly, viz. Operating Systems and Applications which are tied together in a manner that forces competition to respond to new developments AFTER microsoft already has had their "improved" product on the market for some time. Additionally Microsoft's predatory business practices have forced HARDWARE (PC clone makers) manufacturers to sell only Microsoft Operating Systems on their new machines.

This has all resulted in a serious deterrent to investors in the high-tech industry who want to start NEW businesses to compete with Microsoft. It is high time for this trial, and the wasteful spending accompanying it, to be over and Microsoft to be split up into at least TWO SEPARATE companies, one to do Operating Systems and to release the necessary information to BOTH the other company doing the Applications software development AS WELL AS to any and all competitors. It is my belief that Microsoft routinely makes changes to their software to degrade the reliability of any competitor's software running on any system that also has Microsoft's applications or Operating System software installed. Sadly, this also results in the Microsoft programs crashing more frequently. A case in point is Microsoft "Word," one of the most commonly used word processors in the PC industry that has been around since the very early days of the industry even before Windows 1.0 superseded MS-DOS (Microsoft Disk Operating System) and which is the most crash-prone application I have seen in over 25 years in the computer industry.

I have been an Electronics Design Engineer for 31 years in Silicon Valley and worked in the mainframe industry for Amdahl Corp. in the 1970's and early 1980's when the very first IBM PC was released. (We took one apart as soon as they came out to better understand what new business IBM was getting into in 1981.) I have been building computers since the days of the S-100 bus and the pre-Apple I machines when Steve Wozniak used to bring his "projects" to the Homebrew Computer Club meetings at the Stanford Linear Accelerator Auditorium. Using every kind of computer and software in my electronics design consulting practice in Silicon Valley since the early 1980's, I have seen just about every sort of system crash and software bug imaginable. I have used everything from Mainframes to minicomputers to UNIX workstations and in all cases the largest number of major problems have been with PC's generally caused by software failures in products produced by Microsoft Corp. I believe this general unreliability and consequent lost productivity (it comes right off my "bottom line" as an independent consultant) is caused by a LACK OF COMPETITION enforced by Microsoft's unfair, unjust, and at times illegal and monopolistic business practices that have forced smaller companies out of business. What they can't force out they often

buy out and this, too, is a loss to the end-user/consumer.

Consumers will be more likely to see competition in the marketplace rather than the courtroom if Microsoft is broken up and FORCED to compete in the area of Applications software programs that are compatible with Microsoft Windows or any future Operating System they may create. And the investors who propel our economy can finally breathe a sigh of relief as they realize the possibility of successfully COMPETING against Microsoft under laws that are fairly ENFORCED against ALL software companies, regardless of size.

If the case is finally over, US companies, both large and small, can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means MULTIPLE COMPANIES creating better goods and offering superior services to consumers, NOT a monopoly that can force its business partners to sell an inferior product (in comparison to, e.g. UNIX or LINUX) along with their (the partner's) hardware or that can control BOTH Applications and Operating Systems which have to work together on the same system. With the Microsoft Monopoly out of the business of stifling progress and tying the hands of other corporations and competitors as well as consumers, the "free market" will once again pick the winners and losers on Wall Street. With the monopolistic reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Larry Jubb

MTC-00012400

From: Fred F. (038) Dolores Nunez
To: Microsoft ATR
Date: 1/16/02 1:19am
Subject: Microsoft Settlement

Gentlepersons,

How can we say over \$1 billion for disadvantaged public schools is not in the best interest of consumers and the public? Clearly, one of the major reasons why computer usage has grown to what it is today is because of Microsoft products, despite what their competition has to say. Disadvantaged youth is the untapped reserve for even greater household computer usage. And let's face it: These kids have a much greater chance of success in the workplace if they know how to use computers and popular Microsoft software. If disadvantaged kids don't get this knowledge in school, chances are they won't get it at all.

Do what's in the best interest of the consuming public. Settle this case and let's move forward!

Fred F. Nunez
Redlands CA

MTC-00012401

From: Todd Clark
To: Microsoft ATR
Date: 1/16/02 1:23am
Subject: Microsoft Settlement

To whom it may concern,

I little background on me I'm a professional software developer and have been for about four years now, but computers and the computing industry have been a big part of my life since I started coding when I was 8 and wrote my first video game at 9 (I'm 27 now).

The news that the latest judgements against Microsoft will not break up the company deeply saddens me. Microsoft has consistently used their operating system monopoly to gain unfair advantage in other markets. They've done this in two ways.

1. Microsoft's fails to release their complete programming APIs to public thus giving themselves an unfair advantage in any PC software market they wish to enter.

2. Microsoft adds malicious code to their operating system to hurt competitors in markets they wish to enter. For example Microsoft added the caching of system DLLs in windows 2000 to break Install Shield so they could enter the installer market.

As I result at my current company we will have to spend alot of money either rewriting our install in the new Microsoft installer product (which we would have to buy) or restructure our own product architecture.

I had nothing to do with Microsoft's vendetta against install shield why should I have to pay? This is just one example of how Microsoft maliciously uses its monopoly power. Every second or third developer has a story about how Microsoft stabbed someone in the back (and they did stab Install shield in back because install shield helped them make their installer product). Any solution that doesn't break the operating system group into a separate company won't solve these kinds of problems. Even this may not solve the problem (there may still be lingering favoritism). The world should look toward a solution to the Microsoft problem that eventually breaks up the operating system and moves PC programming and development onto a virtual machine (I say eventually because the technology isn't ready yet give it 5-10 years)

MTC-00012402

From: LILA410@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 1:27am
Subject: Microsoft Settlement

I have for years used Microsoft products. Why are Sun and Oracle making life difficult for all of us little people who are fine with things the way they are,

Lila Murphy
96 Rhode Island Avenue
Newport, R. I. 02840

MTC-00012403

From: Dorothy G Randrup
To: Microsoft ATR
Date: 1/16/02 1:34am
Subject: Microsoft Settlement

This is to express my desire to settle the Microsoft case that is before you. Any more delay is an additional problem for the countries economy.

Thank you for your consideration,
Dorothy G. Randrup

MTC-00012404

From: pug@smtp1.realconnect.com@inetgw

To: Microsoft ATR
Date: 1/16/02 2:34am
Subject: Microsoft Settlement

Microsoft is to "give away" software as part of this settlement. Doesn't anyone else see the total stupidity of this? The original case dealt with their monopoly. What software is Microsoft going to give away? Microsoft products. . . thus PERPETUATING the monopoly. I keep hearing more and more about the settlement, and the more I hear, the more I realize that Microsoft is going to be allowed to do whatever it wants, including the blatant breaking of laws and the ability to maintain an effective monopoly.

All throughout the trial, Microsoft wanted its "freedom to innovate." Well, a little research will tell many people that Microsoft hasn't innovated a single thing. DOS was purchased for them. Windows is what they took out of the joint development of OS/2 with IBM. There are too many early word processors to name. Lotus 1-2-3 gave rise to Excel and Harvard Graphics to PowerPoint. NCSA Mosaic gave rise to Internet Explorer, a trademarked name Microsoft blatantly stole from a small company which Microsoft ran into the ground when they sued for trademark infringement. Sybase sold them a copy of their database server and they used it to make SQL Server. Outlook came from various other e-mail programs including Eudora.

The consumers have lost their one chance to be given the choices they should have. This settlement is a sham.

Joseph P. Ogulin
Sterling, VA

MTC-00012405

From: Jeff Estes
To: Microsoft ATR
Date: 1/16/02 1:41am
Subject: Microsoft Settlement

Dear Sirs & Madames:

I strongly feel that penalizing Microsoft by forcing them to pay a small fraction of their sizable cash assets will not improve the commercial software market. Forcing Microsoft to fully document and publish both their Windows APIs and their MS Office file formats will. It will once again allow non-Microsoft developers to contribute their ingenuity and efforts to make our software industry even more innovative and creative.

Thank you for your consideration
Jeffrey Estes
Graduate Student, The Anderson School at UCLA
136 Hermosa Avenue
Long Beach, CA
90802

MTC-00012406

From: AlanB934@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 1:42am
Subject: Microsoft Settlement

I am very much in favor of the proposed antitrust settlement that the Department of Justice negotiated with Microsoft. I believe that consumers are benefited by having a strong company that is constantly innovating on the cutting edge of personal technology. I am glad to see some of the more aggressive

acts of Microsoft now subject to monitoring, but I don't think that the government should help AOL/timewarner or any other huge company attempt to tear down Microsoft.

MTC-00012407

From: Sophie Fox
To: Microsoft ATR
Date: 1/16/02 1:47am
Subject: Microsoft Settlement

Should the Department of Justice decide that Microsoft pay in cash, rather than in equipment, I feel very strongly that Microsoft be made a party to and be given an ongoing accounting of Moines as they are spent. Government has a magical way of making money disappear. It would be a travesty of justice if this should happen and thousands of people were deprived of access to much needed, new computers. When all is said and done, the pettiness, jealousy and sheer vindictiveness exhibited toward Microsoft by some of its competitors and the government makes one wonder if the entrepreneurial spirit is still alive and well in the United States. . . . and then there's Enron!!!! I wonder what action, if any, will be taken by the Department of Justice regarding the abuses in that situation.

For once, please think of the public good rather than special interests and politics and let Microsoft donate equipment and training. .

Sophie Fox

MTC-00012408

From: Ddduffy@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 1:54am
Subject: Microsoft Settlement

We use Webbusters.com and the Java chat rooms are helpful. Microsoft Corporation has decided to no longer include Java with the new version of Windows (called "XP"), because Java was developed by a competitor, Sun Microsystems. Therefore, if you buy a new personal computer, in order to use Webbusters chat rooms or many other modern chat rooms on the web, you must first download and install Java. This is a complicated process and takes 15-20 minutes with a standard modem connection. The process is even more complicated for America Online users. We feel that this is unfair to kids because a lot of kids will not be able to understand how to download and install Java, and kids new to the site simply won't make the effort. Because Microsoft is allowed to have a monopoly on the PC operating system, we feel that they have a responsibility to not abandon Java users (e.g. webbusters kids). Therefore, we are requesting your help in persuading Microsoft to reverse their decision on removing Java from Windows. We request the U.S. Department of Justice require that Microsoft be required to include Java with Windows XP.

Thank you very much for your help.

MTC-00012409

From: Don Ketchu
To: Microsoft ATR
Date: 1/16/02 2:09am
Subject: Microsoft Settlement:

I think that this matter should be settled as soon as possible so the company can go about it's business without any more harassment.

I think that Microsoft is a good company and does a lot of good for this country and the economy.

Don. L. Ketchu

MTC-00012410

From: RLopez9153@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 2:11am
Subject: Settlement

Enough is enough. There was no case. Merely interference.

MTC-00012412

From: Frank Eaves
To: Microsoft ATR
Date: 1/16/02 2:13am
Subject: Microsoft Settlement

To whom it may concern,
It seems to me that the problem is that Microsoft is a monopoly in the operating system business. To solve this problem you have to come up with a solution that will allow competition back into the operating system market. Breaking Microsoft up doesn't solve this problem, and certainly still maintains the application barrier to entry, along with disrupting the companies ability to come out with new software products. If a company could create an operating system that would provide the consumer some real advantage over Microsoft's operating system, and still allow the users of the operating system to continue using all the programs that the users is currently using, then this would be the optimum solution. Microsoft's software applications, like Microsoft Word, would still be purchased by users, allowing Microsoft to benefit from their software products, and still allow competition in the operating system business. In order to understand my solution you should understand how a program works. When Microsoft writes applications like Microsoft Word, they do so by using the Win32 API. If the public had access and were given documentation on the specifics of this API, then you could implement the API on an operating system other than Microsoft Windows, and have all Windows operating system application software run on that operating system. IBM was doing this for their OS/2 operating system but gave up because Microsoft kept adding new API's and IBM couldn't keep up. Microsoft has always maintained that the Win32 API can not be licensed to anyone. If Microsoft were to license the Win32 API, then they would have an obligation to make sure that all licensees were informed when new API's were added, and provide support to customers trying to implement the Win32 API on a different operating system. Perhaps putting the Win32 API under public control, by making it a standard, would be the best solution of all. Then all public parties involved would be allowed the right to voice their opinions on new API's being added and the general direction of the standard. If the API were to be put under public control, then Microsoft would have to be ordered to implement the standard coming out of the public body controlling the standard. This is because, as

with most standards, companies can pick and choose which API's to implement, and may even add new API's to their implementation of the standard, or may implement a part of the standard in a manner that is actually contrary to the standard. So in order to make sure that Microsoft doesn't fall back into a monopoly status in the operating system business, they could be ordered to implement the full standard for say, 10 years. After the 10 years they could be treated like any other company implementing the Win32 standard.

In that 10 year span, Microsoft could continue to innovate an release new software products to the public, the operating system business would be open to competition, and the application barrier to entry would be broken down. Business would actually have a choice when it came to an operating system, and they wouldn't have to worry about losing all the knowledge that their employees have gotten from using application software that was built on the Win32 API. For example, if a business were very concerned about security, and wanted to migrate to Linux because they felt that Linux provided them an advantage in regard to security over Microsoft Windows. Then they would only have to retrain their employees on how to use the new operating system, and not all the software applications that would be used on the new operating system.

This solution puts the operating system on the same playing field as all other software applications on the market today. If I don't like the digital camera software application that I'm using today, and a friend recommends a different software application, I can go and buy the other software application and use it, without fear of losing the ability of running my word processor software application.

Thanks for taking the time to read my comments, I hope that they were insightful and helpful.

—Frank Eaves

MTC-00012413

From: sbeard@qcr.com@inetgw
To: Microsoft ATR
Date: 1/16/02 2:22am
Subject: Microsoft Settlement

The US computer industry has been damaged by the practices of Microsoft. The Windows operating system is no better than systems I used in college 15 years ago primarily because the Microsoft monopoly does not need to compete.

Unfortunately, the settlement does nothing to solve the problem and I do not support it.

Steven Beard

MTC-00012414

From: ALJACKDAN@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 2:36am
Subject: Drop the suit!!

This suit against Microsoft is ridiculous!! This company has done more for the business world and the private sector than any other computer company. Can't those other companies work to come up with something comparable to Microsoft? I think it's a case of pure jealousy on their part. And without the Microsoft programs, the states that are bringing suit would not even be able to conduct their business.

Jackie Daniels, Cheney, WA

MTC-00012415

From: John Prohodsky
To: Microsoft ATR
Date: 1/16/02 2:43am
Subject: Microsoft settlement concerns

Gentlemen:

The proposed Microsoft anti-trust settlement does not offer consumers, including federal, state, and local governments, any relief while codifying Microsoft's predatory practices. This blatant approval and accommodation of flagrant violations of law which the Department of Justice is directed to enforce will be the next scandal. If the United States government is shown to be a party to the Enron bankruptcy by not enforcing the law, it will encourage examination of other government enforcement and oversight responsibilities. It would be especially troubling if the Department of Justice did not enforce the law. Public confidence in government would be undermined to the extent that government could not govern.

I believe the facts speak for themselves. My comments do not reflect my personal beliefs.

John Prohodsky

MTC-00012416

From: Murray Parker
To: Microsoft ATR
Date: 1/16/02 2:56am
Subject: Microsoft Settlement

Distinguished Members of the Bench:

It is critical that we not continue to waste taxpayers dollars and your substantial capabilities rehashing a case that has long progressed past its time to impact those very consumers you purport to protect. The world of the internet is progressing to Gen4 and high tech is changing the way we live at a dramatic rate. You're too late. So please get on with it. Make a settlement now and focus your ample resources elsewhere. If there is anything to be learned from this case it is that your action must be much quicker if it is to be effective. If you have a 'real' case and not something just trumped up by disgruntled competitors who want you to do what they couldn't do in the market place, then you'll have to be able to make your case and win corrective action much more quickly. Not only has the bull gotten out of the barn before you've tried to close the door, but we aren't even using barns any more so it won't make any difference when you finally, if ever, do get the door shut.

Best regards,
Murray B Parker
mparker@bortonwallace.com

MTC-00012417

From: Pfb Barth@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 2:58am
Subject: Microsoft Settlement

Dear Sir(s):

I urge the Judge in this case to have the parties find settlement on the entire Microsoft matter as soon as possible as the delay in resolving this matter is injurious to the people of our Country and far more so than any Microsoft penalty could be. It seems to me that the hurt to the economy for this

suit far out weighs any alleged actions Microsoft may or may not have committed.

Accordingly, I urge very prompt settlement to this case to favor Microsoft. The Judiciary of this Country must take into consideration the invaluable service Bill Gates and Microsoft have provided this Country and indeed the World. I need not amplify this further sense it is beyond most peoples understanding and scope.

No State Attorney General, no matter how well intentioned, will ever be able to justify further harm or injustice to Microsoft and this Country for continued action.

Thank you for helping an appreciative consumer and market investor.

Sincerely,
Paul F. Barth
pfb Barth@aol.com
248-644-1411

MTC-00012418

From: Iwalup@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 3:01am
Subject: Microsoft Settlement

Hello,

I opine that this Microsoft case be settled and the company allowed to move on because so much of the tech. world is dependent on microsoft already. However, MS should watch future endeavor to ensure that no further breach occur.

Regards.

MTC-00012419

From: Afshin David Youssefyeh
To: Microsoft ATR
Date: 1/16/02 3:09am
Subject: Microsoft Settlement

Please keep pushing them. What you have agreed to is not enough. Open the API and standardize the file formats.

Afshin Youssefyeh

MTC-00012420

From: Russ Cannon
To: Microsoft ATR
Date: 1/16/02 3:13am
Subject: Comment on Microsoft Settlement

I was deeply displeased with the lawsuit that the government brought against Microsoft. It has always been my view that antitrust laws were political weapons. It seems to me that there are many megacorporations that deserve antitrust scrutiny, but the selection of which companies to go after always seems to serve some political end.

I have no great love for Microsoft, but I am altogether opposed to antitrust laws. It is impossible for any government to enforce such laws without bias in favor of political cronies and contributors. Monopolies abound in our economy, but one wonders why antitrust litigation is not brought more often. Perhaps it is because most companies know how to cozy up to political parties to obtain a pass on antitrust scrutiny.

In the case of Microsoft, one cannot exclude the possibility that the government sought to plunder its large cash reserves in a sort of punitive tax on success. The entire lawsuit should be dropped. Failing this, the proposed settlement should be adopted by all parties as soon as possible, and the whole sordid mess should be put to rest.

Russ Cannon
Montgomery, Alabama

MTC-00012421

From: Carol Scholp
To: Microsoft Settlement
Date: 1/16/02 1:34am
Subject: Microsoft Settlement
Carol Scholp
301 Stearns Point Rd
Hot Springs, AR 71913
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Microsoft Settlement:

I write to encourage the Justice Department to pursue the suit against Microsoft and its monopoly power in the computer market. Microsoft's offer of used equipment is an insult to the American public. How about having Microsoft supply new compatible equipment and training in its use to all schools who do not already have computer equipment/labs or cannot afford them? In light of the Enron debacle and their political contributions, I should think Microsoft with its contributions would want to tread softly and dispel any sense of impropriety.

Please see to it that justice, not political expediency, is served.

Sincerely,
Carol A. Scholp

MTC-00012422

From: Vincent Mike Keyes III
To: Microsoft Settlement
Date: 1/15/02 10:58pm
Subject: Microsoft Settlement
Vincent Mike Keyes III
24842 Via Florecer
Mission Viejo, CA 92692
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

Please leave this American Icon alone. They have paid their fees, their taxes and their employees and shareholders. You on the other hand have brought no value to the marketplace. The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Mike Keyes

MTC-00012423

From: James THOMPSON
To: Microsoft ATR
Date: 1/16/02 3:29am
Subject: Microsoft Settlement

I do not like Bill Gates or Microsoft. They deserve what they got and more. I do not like how they walked over so many little companies or bought them out in the middle on law suits. One of those law suits happening right in Salt Lake City, Utah. They break copy rights and then buy themselves out of law suits. They deserve every bit of punishment given to them. Bill Gates should lose all his interest in Microsoft and it should be broken up in little tiny pieces. I urge you the supreme court of the United States to not review the case unless you are going to punish them bigger and better than the lower courts have done.

Thank you for letting me express my view.
James L. Thompson

MTC-00012424

From: Charles Lyons
To: Microsoft Settlement
Date: 1/15/02 10:49pm
Subject: Microsoft Settlement
Charles Lyons
80 Woodside Dr.
Penfield, NY 14526-2240
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

Stop hurting one of America's great company's! America needs more Microsofts. The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers.

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Thank you for this opportunity to share my views.

Sincerely,
Charles E. Lyons

MTC-00012425

From: Janet Hart
To: Microsoft Settlement
Date: 1/16/02 12:48am
Subject: Microsoft Settlement
Janet Hart

6443 W. College Dr.
Phoenix, AZ 85033-1647
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Janet L. Hart

MTC-00012426

From: John Cobb
To: Microsoft Settlement
Date: 1/15/02 10:05pm
Subject: Microsoft Settlement
John Cobb
2115 Second Creek Dr.
Mobile, AL 36695
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
JOHN COBB

MTC-00012427

From: Paul Dartez
To: Microsoft Settlement
Date: 1/15/02 11:32pm
Subject: Microsoft Settlement
Paul Dartez
9385 Placide Rd
Maurice, La 70555
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement: The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Paul Dartez

MTC-00012428

From: Harvey Carter
To: Microsoft Settlement
Date: 1/15/02 10:11pm
Subject: Microsoft Settlement
Harvey Carter
344 Lester Dr.
Boaz, Al 35957
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Harvey L. Carter

MTC-00012429

From: David Gordon
To: Microsoft Settlement
Date: 1/15/02 10:51pm
Subject: Microsoft Settlement
David Gordon
15 Britton Road
Stockton, NJ 08559
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
David Gordon

MTC-00012430

From: Fred Williams
To: Microsoft Settlement
Date: 1/15/02 10:09pm
Subject: Microsoft Settlement
Fred Williams
515 42nd SE
Paris, tx 75462

January 15, 2002

Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Fred Williams

MTC-00012431

From: Jennie Shook
To: Microsoft Settlement
Date: 1/15/02 10:03pm
Subject: Microsoft Settlement
Jennie Shook
3071 Victoria Lane
Alpine, CA 91901
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Jennie M. Shook

MTC-00012432

From: Zoe Alvarez
To: Microsoft Settlement
Date: 1/15/02 11:45pm
Subject: Microsoft Settlement
Zoe Alvarez
1432 NW 26 Avenue
Miami, FL 33125-2130
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Zoe Alvarez

MTC-00012433

From: Ellis Grier
To: Microsoft Settlement
Date: 1/16/02 12:44am
Subject: Microsoft Settlement
Ellis Grier
29 Bluff Drive
Richmond Hill, GA 31324
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
ellis grier

MTC-00012434

From: Diane Collins
To: Microsoft Settlement
Date: 1/15/02 10:31pm
Subject: Microsoft Settlement
Diane Collins
944 Ark 175
Hardy, Ar 72542
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Diane Collins

MTC-00012435

From: John Ballard
To: Microsoft Settlement
Date: 1/16/02 12:16am
Subject: Microsoft Settlement
John Ballard
4900 NW 52nd Court

Tamarac, FL 33319
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
John Ballard

MTC-00012436

From: Clyde Hart
To: Microsoft Settlement
Date: 1/15/02 11:22pm
Subject: Microsoft Settlement
Clyde Hart
18 Pin Oak Estates Ct.
Bellaire, TX 77401
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
clyde d. hart

MTC-00012437

From: Scott Hair
To: Microsoft Settlement
Date: 1/15/02 11:14pm
Subject: Microsoft Settlement
Scott Hair
511 Tish Circle #1912
Arlington, TX 76006-3554
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Scott Hair

MTC-00012438

From: Doris H. Shields
To: Microsoft Settlement
Date: 1/15/02 10:37pm
Subject: Microsoft Settlement
Doris H. Shields
2809 Lawrence
Irving, TX 75061
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the

courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Doris H. Shields

MTC-00012439

From: Mary Williams
To: Microsoft Settlement
Date: 1/15/02 11:10pm
Subject: Microsoft Settlement
Mary Williams
6305 Banyan St
Cocoa, FL 32927
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Mary Williams

MTC-00012440

From: Edward Hughes
To: Microsoft Settlement
Date: 1/15/02 11:39pm
Subject: Microsoft Settlement

Edward Hughes
1909 Reagan St
Mission, TX 78572
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Edward J Hughes

MTC-00012441

From: Green John
To: Microsoft Settlement
Date: 1/16/02 1:44am
Subject: Microsoft Settlement
Green John
2125 Elanita Dr
San Pedro, CA 90732-4433
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
John J. Green

MTC-00012442

From: Ken Harris
To: Microsoft Settlement
Date: 1/16/02 12:01am
Subject: Microsoft Settlement
Ken Harris
2831 Springflower Dr.
Wilson, NC 27896-6923
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Ken Harris

MTC-00012443

From: David Lord
To: Microsoft Settlement
Date: 1/15/02 10:29pm
Subject: Microsoft Settlement
David Lord
7700 Hillmont Dr.
Columbus, GA 31909
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be

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Thank you for this opportunity to share my views.

Sincerely,
David L. Lord

MTC-00012444

From: Richard G. Meyer
To: Microsoft Settlement
Date: 1/16/02 1:05am
Subject: Microsoft Settlement
Richard G. Meyer
3788 F. Street
Lincoln, NE 68510
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Richard G. Meyer

MTC-00012445

From: Patricia Allen
To: Microsoft Settlement

Date: 1/15/02 10:20pm
Subject: Microsoft Settlement
Patricia Allen
1204 20th
Nederland, TX 77627
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely, Patricia Allen

MTC-00012446

From: Jo Puntil
To: Microsoft Settlement
Date: 1/15/02 11:27pm
Subject: Microsoft Settlement
Jo Puntil
332 Park Ave
Long Beach, CA 90814
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Jo Puntil Sheltman

MTC-00012447

From: Rebecca Steward

To: Microsoft Settlement

Date: 1/15/02 10:56pm

Subject: Microsoft Settlement

Rebecca Steward

HCR4 Box 43024

Alturas, CA 96101-9505

January 15, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Nick L. Steward

MTC-00012448

From: Larry Mccollum

To: Microsoft Settlement

Date: 1/16/02 12:51am

Subject: Microsoft Settlement

Larry Mccollum

3928 Sir Payne Ct.

Las Vegas, Nv 89104

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the

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Thank you for this opportunity to share my views.

Sincerely,

Larry Mccollum

MTC-00012449

From: Thomas Welch

To: Microsoft Settlement

Date: 1/15/02 10:57pm

Subject: Microsoft Settlement

Thomas Welch

360 Hunsaker Ln.

Eugene, OR 97404

January 15, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Thomas S. Wlech

MTC-00012450

From: Don Doyle

To: Microsoft Settlement

Date: 1/16/02 2:09am

Subject: Microsoft Settlement

Don Doyle

127 Rees street

Playa del Rey , Ca 90293

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Don Doyle

MTC-00012451

From: Warren Miller

To: Microsoft Settlement

Date: 1/15/02 11:00pm

Subject: Microsoft Settlement

Warren Miller

1750 Albion

Burley, ID 83318

January 15, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Warren S. Miller

MTC-00012452

From: Marlene Nymeyer
To: Microsoft Settlement
Date: 1/15/02 11:31pm
Subject: Microsoft Settlement
Marlene Nymeyer
25508 South Klemme
Crete, IL 60417
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely, Marlene Joyce Nymeyer

MTC-00012453

From: Ella Brown
To: Microsoft Settlement
Date: 1/15/02 11:07pm
Subject: Microsoft Settlement
Ella Brown
5254 Clover Valley Rd
Johnstown, OH 43031-9320
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech

industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Ella R Brown

MTC-00012454

From: Bill Albright
To: Microsoft Settlement
Date: 1/15/02 11:04pm
Subject: Microsoft Settlement
Bill Albright
1809 Shepherd Court 107
Waukesha, WI 53186
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Bill Albright

MTC-00012455

From: Michael White

To: Microsoft Settlement
Date: 1/15/02 11:55pm
Subject: Microsoft Settlement
Michael White
105 Jessamine Trail
Lawrenceville, GA 30045-8867
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
michael white

MTC-00012456

From: Forrest McIntyre
To: Microsoft Settlement
Date: 1/15/02 10:03pm
Subject: Microsoft Settlement
Forrest McIntyre
10 Sylvan Lane
Hilton Head, SC 29928
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Forrest McIntyre

MTC-00012457

From: Larry Figley
To: Microsoft Settlement
Date: 1/15/02 11:15pm
Subject: Microsoft Settlement
Larry Figley
4716 Old State Road
Willard, OH 44890
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Larry R. Figley

MTC-00012458

From: Barry Dockery
To: Microsoft Settlement
Date: 1/15/02 11:39pm
Subject: Microsoft Settlement
Barry Dockery
805 Bluefield Rd
Lexington, SC 29073
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a

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Thank you for this opportunity to share my views.

Sincerely,
Barry E Dockery

MTC-00012459

From: Donna Wallace
To: Microsoft Settlement
Date: 1/15/02 11:08pm
Subject: Microsoft Settlement
Donna Wallace
58 Owens Road
Dallas, ga 30157
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Donna Wallace

MTC-00012460

From: Diane Rousseau
To: Microsoft Settlement
Date: 1/15/02 10:49pm
Subject: Microsoft Settlement
Diane Rousseau
Candlewood Hill Rd.
Higganum, CT 06441-0072
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Diane Rousseau

MTC-00012461

From: Margaret Clark
To: Microsoft Settlement
Date: 1/15/02 10:29pm
Subject: Microsoft Settlement
Margaret Clark
203 Beverly St.
Longview, TX 75601
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Mrs. Margaret Clark

MTC-00012462

From: Jerry Dowdy
To: Microsoft Settlement
Date: 1/15/02 11:59pm
Subject: Microsoft Settlement
Jerry Dowdy
204 Rolling Hills Blvd
Florence, MS 39073
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views. Sincerely, Jerry Dowdy

MTC-00012463

From: Thomas Arbtin
To: Microsoft Settlement
Date: 1/16/02 1:39am
Subject: Microsoft Settlement
Thomas Arbtin
919 89th Dr. N.E
Everett, WA 98205-1495
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be

over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Thomas Arbtin

MTC-00012464

From: Curt Arbtin
To: Microsoft Settlement
Date: 1/16/02 1:38am
Subject: Microsoft Settlement
Curt Arbtin
919 89th Dr. N.E
Everett, WA 98205-1495
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Curt Arbtin

MTC-00012465

From: Amanda Arbtin
To: Microsoft Settlement

Date: 1/16/02 1:39am
Subject: Microsoft Settlement
Amanda Arbtin
919 89th Dr. N.E
Everett, WA 98205-1495
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Amanda Arbtin

MTC-00012466

From: Gary Dalton
To: Microsoft Settlement
Date: 1/15/02 10:49pm
Subject: Microsoft Settlement
Gary Dalton
7500 Martha Court
Fayetteville, NC 28314
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Sincerely,
Gary L. Dalton

MTC-00012467

From: Theresa Arbtin
To: Microsoft Settlement
Date: 1/16/02 1:38am
Subject: Microsoft Settlement
Theresa Arbtin
919 89th Dr. N.E
Everett, WA 98205-1495
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Theresa Arbtin

MTC-00012468

From: Harold Brown
To: Microsoft Settlement
Date: 1/15/02 11:00pm
Subject: Microsoft Settlement
Harold Brown
804 Dogwood Road
North Palm Beach, FL 33408-4136
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the

wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Harold Brown

MTC-00012469

From: Addie Ng
To: Microsoft Settlement
Date: 1/15/02 10:38pm
Subject: Microsoft Settlement
Addie Ng
11560 W. Eagle Lake Drive
Maple Grove, MN 55369-6173
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Addie H. Ng

MTC-00012470

From: William Clark

To: Microsoft Settlement
Date: 1/16/02 1:21am
Subject: Microsoft Settlement
William Clark
132 S 15th St
Kansas City, KS 66102
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
William Clark

MTC-00012471

From: Nick Steward
To: Microsoft Settlement
Date: 1/15/02 10:54pm
Subject: Microsoft Settlement
Nick Steward
HCR4 Box 43024
Alturas, CA 96101-9505
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Nick L. Steward

MTC-00012472

From: Jean Kirkpatrick
To: Microsoft Settlement
Date: 1/15/02 11:14pm
Subject: Microsoft Settlement
Jean Kirkpatrick
2675 Island View Road
Fort Mill, SC 29708-6405
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Jean Kirkpatrick

MTC-00012473

From: Daniel Haynes
To: Microsoft Settlement
Date: 1/15/02 11:18pm
Subject: Microsoft Settlement
Daniel Haynes
1846 Alburn Place
El Dorado Hills, CA 95762
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a

serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Daniel Haynes

MTC-00012474

From: Janet Williams
To: Microsoft Settlement
Date: 1/15/02 10:14pm
Subject: Microsoft Settlement
Janet Williams
5352 East 32nd Street
Tucson, AZ 85711-6508
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Janet Williams

MTC-00012475

From: David Hendley

To: Microsoft Settlement
Date: 1/15/02 11:12pm
Subject: Microsoft Settlement
David Hendley
PO Box 382
Lakeland, Ga 31635-0382
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief. Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

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Thank you for this opportunity to share my views.

Sincerely,

David Hendley

MTC-00012476

From: Bobby Gochnauer
To: Microsoft Settlement
Date: 1/15/02 10:17pm
Subject: Microsoft Settlement
Bobby Gochnauer
505 Newton Street
Macon, Mo 63552-1172
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Bobby Gochner

MTC-00012477

From: Chellsea Arbtin
To: Microsoft Settlement
Date: 1/16/02 1:39am
Subject: Microsoft Settlement
Chellsea Arbtin
919 89th Dr. N.E
Everett, WA 98205-1495
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Chellsea Arbtin

MTC-00012478

From: Michaela Arbtin
To: Microsoft Settlement
Date: 1/16/02 1:40am
Subject: Microsoft Settlement
Michaela Arbtin
919 89th Dr. N.E
Everett, WA 98205-1495
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

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Thank you for this opportunity to share my views.

Sincerely,
Michaela Arbtin

MTC-00012479

From: Mary Zuschlag
To: Microsoft Settlement
Date: 1/15/02 10:45pm
Subject: Microsoft Settlement
Mary Zuschlag
9263 W. 103rd Ave.
Westminster, CO 80021-5200
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Mary Zuschlag

MTC-00012480

From: Robert Horstmeier

To: Microsoft Settlement
Date: 1/15/02 10:18pm
Subject: Microsoft Settlement
Robert Horstmeier
112 Stanton Street
Davis, IL 61019-0183
January 15, 2002

Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Robert Horstmeier

MTC-00012481

From: Kathleen Somerville
To: Microsoft Settlement
Date: 1/16/02 12:49am
Subject: Microsoft Settlement
Kathleen Somerville
1424 Forest Dr.
Chillicothe, MO 64601
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Kathleen Somerville

MTC-00012482

From: Donald Crean
To: Microsoft Settlement
Date: 1/15/02 11:11pm
Subject: Microsoft Settlement
Donald Crean
3109 Evanshire Place
Tallahassee, FL 32303-2554
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Donald F. Crean

MTC-00012483

From: Howard A. Ross
To: Microsoft Settlement
Date: 1/15/02 11:59pm
Subject: Microsoft Settlement
Howard A. Ross
55 Co. Rt. 23
Harrisville, NY 13648-3225
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Rev. Howard A. Ross

MTC-00012484

From: Ronald Williams
To: Microsoft Settlement
Date: 1/15/02 10:26pm
Subject: Microsoft Settlement
Ronald Williams
4206 Gertrude St.
Simi Valley, Ca 93063-2928
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Ron Williams

MTC-00012485

From: Howard Farmer

To: Microsoft Settlement
Date: 1/16/02 12:51am
Subject: Microsoft Settlement
Howard Farmer
946 Holbrook Circle
Ft Walton Beach, FL 32547-6735
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Howard L Farmer

MTC-00012486

From: Robert Barnes
To: Microsoft Settlement
Date: 1/15/02 10:15pm
Subject: Microsoft Settlement
Robert Barnes
2532 Ridgmar Blvd., Apt. 8
Fort Worth, TX 76116-2532
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Robert W. Barnes

MTC-00012487

From: william coldiron
To: Microsoft Settlement
Date: 1/16/02 12:39am
Subject: Microsoft Settlement
william coldiron
20301 e. clinton rd
jackson, ca 95642-9660
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
william coldiron

MTC-00012488

From: Dr. William Gibbons
To: Microsoft Settlement
Date: 1/15/02 11:09pm
Subject: Microsoft Settlement
Dr. William Gibbons
703 Beaumont Drive
Altoona, PA 16602
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Dr. William P Gibbons

MTC-00012489

From: Dominick Chiricosta
To: Microsoft Settlement
Date: 1/15/02 11:17pm
Subject: Microsoft Settlement
Dominick Chiricosta
3940 Rand Rd.
Auburn, CA 95602-9090
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Dominick Chiricosta

MTC-00012490

From: Gerald Morrison
To: Microsoft Settlement
Date: 1/16/02 1:20am
Subject: Microsoft Settlement
Gerald Morrison
619 Five Mile Rd
Richlands, NC 28574
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Gerald Morrison

MTC-00012491

From: Gary Schinnell
To: Microsoft Settlement
Date: 1/15/02 10:17pm
Subject: Microsoft Settlement
Gary Schinnell
1393 North 770 West
Orem, UT 84057
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Gary Schinnell

MTC-00012492

From: Revelene Schwartz
To: Microsoft Settlement
Date: 1/15/02 10:54pm
Subject: Microsoft Settlement
Revelene Schwartz
200 Atrium Way #2003
Columbia, SC 29223-6512
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Revelene Schwartz

MTC-00012493

From: Mary L. Marquis
To: Microsoft Settlement
Date: 1/16/02 1:24am
Subject: Microsoft Settlement
Mary L. Marquis
1600 Skyview Drive
Irving, TX 75060-4712
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Mary L. Marquis

MTC-00012494

From: Jennifer Ham
To: Microsoft Settlement
Date: 1/16/02 12:23am
Subject: Microsoft Settlement
Jennifer Ham
2002 Shadow Cliff
San Antonio, TX 78232
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Dr. and Mrs. Robert Dwayne Ham

MTC-00012495

From: George Green
To: Microsoft Settlement
Date: 1/16/02 12:02am
Subject: Microsoft Settlement
George Green
120 Deer Park Dr.
Birmingham, AL 35210-2614
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Mr. and Mrs. George T. Green

MTC-00012496

From: Vivian Kersey
To: Microsoft Settlement
Date: 1/15/02 10:41pm
Subject: Microsoft Settlement
Vivian Kersey
265 N. Dixie Dr. #17
St. George, UT 84770
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Vivian I. Kersey

MTC-00012497

From: Christopher Hussar
To: Microsoft Settlement
Date: 1/15/02 11:17pm
Subject: Microsoft Settlement
Christopher Hussar
17175 Snowberry Dr
Reno, NV 89511
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Christopher J. Hussar

MTC-00012498

From: Richard Parsons
To: Microsoft Settlement
Date: 1/15/02 10:25pm
Subject: Microsoft Settlement
Richard Parsons
1305 N Kent Rd
Hutchinson, Ks 67501
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Richard Parsons

MTC-00012499

From: Sandra Dilllard
To: Microsoft Settlement
Date: 1/16/02 2:15am
Subject: Microsoft Settlement
Sandra Dilllard
P. O. Box 39
N. Bonneville, WA 98639
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

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Thank you for this opportunity to share my views.

Sincerely,
Mrs. Sandra A. Dillard

MTC-00012500

From: Linda Campbell
To: Microsoft Settlement
Date: 1/15/02 11:42pm
Subject: Microsoft Settlement
Linda Campbell
3676 Loxxahoma Circle
Senatobia, ms 38668
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Linda Fay Campbell

MTC-00012501

From: Everett D. Jenkins Sr.
To: Microsoft Settlement
Date: 1/15/02 10:53pm
Subject: Microsoft Settlement
Everett D. Jenkins Sr.
4433 Co. Rd. 6
Kitts Hill, Oh 45645-8777
January 15, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Everett D. Jenkins Sr.

MTC-00012502

From: William Heberling

To: Microsoft Settlement

Date: 1/16/02 1:18am

Subject: Microsoft Settlement

William Heberling

823 Evans Dr.

Sedro Woolley, WA 98284-1255

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Mr. & Mrs. William Heberling

MTC-00012503

From: Constance Bartholomew

To: Microsoft Settlement

Date: 1/15/02 10:27pm

Subject: Microsoft Settlement

Constance Bartholomew

14110 Ensign Road

Burton, OH 44021

January 15, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Constance E. Bartholomew

MTC-00012504

From: Glen Mathias

To: Microsoft ATR

Date: 1/16/02 3:38am

Subject: Microsoft Settlement

Dear Judge,

I would like to request that included in the settlement, MS be required to give consumers a choice of installing a Java Compliant Virtual Machines for running java applets inside the browser. The choice should be real, not one where customers have to choose between downloading one over the internet (i.e 30+ minutes) vs their non-Java Compliant VM that comes on the install CD.

I am an IT professional with 14 years of experience. I would like to say that firstly I was disappointed if not appalled to hear the terms of the proposed settlement. To most IT professionals, Microsoft has successfully exploited the system in the past as there was little or no legal precedence with regards to IT.

However there is little or no reason for this to happen today. Over the past 14 years I have worked with a variety of technologies and have developed software on all three major platforms; Mainframes, PC's and Web-based. The past 3 years I have been developing software primarily in Java, a technology that I love and one truly embraced by the industry.

As an example of how Microsoft is trying to squash this technology (and it looks like they will be successful again), they have refused to give consumers the choice for installing a Java compatible Virtual Machine in their Web Browser. Instead, consumers be default get the Microsoft Virtual Machine intalled to run all Java Applets. Their Virtual Machine is not Java-Compliant, and

consumers should not have to install it without being given a choice. As a java developer, if I cannot count on consumers having a Java Compliant Virtual Machine, I cannot count on my programs executing consistently over different versions of Microsoft's browser. This should not be allowed to happen again to Java; a technology that is being used by so many.

I would like to request that included in the settlement, Microsoft be required to give consumers a choice of Java Compliant Virtual Machines for running java applets inside browser. The choice should be real, not one where consumers can choose to download and install a Java compliant VM over the internet (i.e 30+ minutes) vs Microsoft's non-compliant that is easily available on the install CD.

Thanking You for your time and consideration

Glen Mathias

201-679-9155

MTC-00012505

From: Lloyd Herman

To: Microsoft Settlement

Date: 1/15/02 11:41pm

Subject: Microsoft Settlement

Lloyd Herman

6605 Blue Water Ave.

Sarasota, FL 34231

January 15, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

It's time to abruptly stop the political/liberal flogging of Microsoft. The entire world envies us an enterprise like this, yet here we have uncompetitive crybabies, politicians and liberals trying to shatter a major stone in the foundation of our economy.

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Lloyd D. Herman

MTC-00012506

From: Anthony Gabriele
 To: Microsoft Settlement
 Date: 1/16/02 12:47am
 Subject: Microsoft Settlement
 Anthony Gabriele
 13 Whitpain Drive
 Ambler, PA 19002-5128
 January 16, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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I saw how the government wasted millions of tax payers money going after IBM and after 10 years proved nothing. IBM finally was de-throned by the market place.

Please let Microsoft do what it does best—create some really useful and affordable software for everyone.

This litigation has cost me not only the wasted tax dollars but also thousands of dollars in lost money in my 401k plan.

Thank you for this opportunity to share my views.

Sincerely,
 Anthony L. Gabriele

MTC-00012507

From: Anina Berthold
 To: Microsoft Settlement
 Date: 1/16/02 1:03am
 Subject: Microsoft Settlement
 Anina Berthold
 2197 S. Wilmington Circle
 Salt Lake City, UT 84109-1228
 January 16, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

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in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies. **If Mountain Bell would have not been broken up in the early 80's and been allowed to maintain it's status as a monopoly and not had resulted in the breakup it did (I would probably not have been disabled from my job after 19 years, many would not have been laid off or fired or replaced by temporary workers); as in the old bumper sticker which read: ONE SYSTEM. . . IT WORKS. . . there would be more cooperation among every employee, every customer, ever manager, every CEO in EVERY company. . . encouraging teamwork and mass production on a National and Global level. . . as well AS JOB SECURITY and SENIORITY & LOYALTY, and EVERY POSITION in and to a company would STILL mean something substantial!!! Thank you for this opportunity to share my views. Miss Anina Christine Berthold Mt Bell, US West Direct (Aug 1973 to Sept 1992) PS Besides that. . . I do NOT want my service with webtv (through MSN TV Service) to udergo any more changes than it already has!

Sincerely,
 Anina C. Berthold

MTC-00012508

From: Phillip Morelock
 To: Microsoft ATR
 Date: 1/16/02 4:01am
 Subject: Microsoft Settlement

Dear Honorable Public Servants, (DOJ, Sen. Boxer, Sen. Feinstein) I strongly support punishing Microsoft to the fullest extent allowed by law. They are repeat law breakers who will continue to willfully break and twist and bend our nation's laws as long as they possibly can. If they were street criminals instead of business predators, the three strikes laws would be kicking in right about now.

The only penalty that really makes sense to me is to force open—quickly and fully—the entire API for all Windows operating systems as well as all Office file formats. They should also be forced to fully divulge all documentation they have on any and all Windows and Office APIs. This would allow truly equal competition on both the operating systems front and (more importantly) the applications front, where they are clearly leveraging the OS monopoly into a longer-term productivity monopoly.

I vote in every election. I pay my taxes. And I put my 2 cents toward punishing Microsoft fully.

Yours,
 Phillip Morelock
 Los Angeles, CA
 CC:senator@boxer.senate.gov
 @inetgw,senator@feinstein. . . .

MTC-00012509

From: cargod01
 To: Microsoft ATR
 Date: 1/16/02 4:26am
 Subject: Microsoft Settlement

While I don't believe that Microsoft should be broken up (yet); I do feel that they are pushing towards an even stronger monopoly with their new Product Activation > Subscription Software scheme. They do need a huge slap in the checkbook and ongoing oversight.

MTC-00012510

From: Tom Lane
 To: Microsoft ATR
 Date: 1/16/02 4:33am
 Subject: Microsoft Settlement

The punishment reached by the court for Microsoft is just and in the best interest of the consumer and the economy. Please disregard the self interest allegations of the nine states. Tom LaneGet more from the Web. FREE MSN Explorer download : <http://explorer.msn.com>

MTC-00012511

From: Alexander Kabakov
 To: Microsoft ATR
 Date: 1/16/02 5:25am

I have a B.Sc in computer science and think Microsoft's policies are anti-competitive and will do increasing harm to the tech sector in the long-run if something isn't done about it.

Alexander Kabakov

MTC-00012512

From: VETTE8693@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 5:44am
 Subject: microsoft

Dear Sir's;

Please save us from this liberal attack on the rights of people who are completely happy with Microsoft and their products. Greed seems to be the motivation here to do in Microsoft.

John C. Meskimen
 2221 University St
 Gautier Miss 39553
 vette8693@aol.com

MTC-00012513

From: Bruce Adler
 To: Microsoft ATR
 Date: 1/16/02 5:45am
 Subject: Microsoft Settlement. Antitrust

Division U.S. Department of Justice

The provisions of the agreement are tough, reasonable, fair to all parties involved.

I believe that the proposed settlement is good for my family and the American economy. I believe the Microsoft case should be settled and not further litigated.

Bruce Adler
 7 Loblolly Lane
 Wayland, MA 01778

MTC-00012514

From: Nutton, Thomas G

To: 'microsoft.atr(a)usdoj.gov'
 Date: 1/16/02 5:43am
 Subject: Microsoft Settlement

I believe this offer should be accepted and the case closed.

MTC-00012515

From: G Gerig
 To: Microsoft ATR
 Date: 1/16/02 6:01am
 Subject: Public comment on Microsoft antitrust case

Ms. Hesse:

I want to register my support for a speedy settlement of what I consider a shameful, even contemptible attack on the very core of American free enterprise.

For the record, I am not affiliated in any way with Microsoft or anyone related thereto. But the Justice Department's decade-old war against Bill Gates and the Microsoft Corporation, apparently for the heinous crime of succeeding in the American dream and profiting justly from that success, is if nothing else a flag indicating the need for a thorough overhaul of the entire edifice of antitrust laws, with an eye toward repeal.

I find it most odd, for example, that if a given corporation creates a new product for which there is high demand, and prices it accordingly under the principles of basic economics (supply & demand,) it is attacked under antitrust law as "price-gouging" and "attempting to corner a market." But if that corporation lowers the price of its creation, (even to zero in the case of Microsoft's Internet software)—to the vast benefit of its customers— it is charged under antitrust law with "unfair competition" and subjected to years of state persecution on a par with a Medieval Inquisition. The modern equivalent of the accusation "Heretic!"—which utterance alone was as good as a conviction and sentence—has merely been replaced with the term "Monopolist!"

The entire action against Microsoft was reportedly initiated by complaints to the government by Microsoft's second-rate competitors such as Netscape, Sun and the like. They ran to the government in the manner of whining, spoiled children throwing a tantrum before Mommy and Daddy, complaining that because they'd failed to produce products to equal or surpass Microsoft's in the courtroom of the American marketplace, they needed a viable excuse to drag Microsoft into the courtrooms of America's legal system—to "achieve" by force what they couldn't by ingenuity and productivity.

Enter the infinitely malleable tool of antitrust law, which Alan Greenspan once equated with the capricious edicts of a dictatorship. The United States Justice Department thereby became, in effect, the "heavy" in a gargantuan protection racket. When private citizens attempt to do this sort of thing, they're arrested and thrown in jail.

Random computer techies have railed for years about their personal likes and dislikes of esoteric aspects of Microsoft products—all of which are irrelevant in this context. Like it or not, the Microsoft operating systems became and remain the predominant choice of computer users. With every revision and with the emergence of each of its

competitors' alternate systems, the market—which means the free choices of free individuals—decided that Microsoft's products would continue to dominate the computer industry. The operating systems of Sun, Apple, etc. were available, but the public chose Microsoft. No one forced anyone to purchase Microsoft products - people simply evaluated them as preferable to others on a consistent basis.

Where there is free choice, there is no coercion. Where there is no coercion, there is no violation of rights. Where there is no violation of rights, there is no justification for the intrusion of the state.

Microsoft became a target for attack for the same reason that every person or entity that rises above others becomes a target: envy. In retrospect, it's arguable that the motives behind the assault on Microsoft are identical at the core level to those behind the assault on the World Trade Center on September 11, 2001: Hatred of wealth, of prosperity, of achievement, of capitalism in general.

There is another aspect of the Microsoft Witch Hunt that I find particularly repulsive. Like the similar Tobacco Witch Hunt, it has become a fairly obvious means for state bureaucrats to milk a very, very deep set of pockets for revenue—without having to go through that tedious and distasteful business of getting a tax increase past voters. (Didn't America once fight a war to shed the abuses of an insulated monarchy?)

Virtually as I write this, California Governor Gray Davis is attempting to "securitize" money extorted from tobacco companies—in order to cover the State's financial shortfall resulting from his policies; In the heat of the Clinton Administration's assault on Microsoft, one could almost hear the salivating of those who stood to rake in the proposed billions in fines and fees imposed under the persecutorial robbery of antitrust.

—Is this any way for state governments to fund their budgets? I regard these actions—against the tobacco industry, Microsoft, and the similar attempts made against Intel and a handful of other American "overachievers"—as, collectively (all puns intended,) the most dangerous abuses of American citizens and institutions by government officials in the history of this country. If the term "justice" is to retain any meaning, this has got to stop.

Pepperdine University economist George Reisman identified the concept of "Platonic Competition"—a situation in which everyone is exhorted to compete, but no one is allowed to win. It's logically and ethically perverse—yet that is the very condition proposed under antitrust.

[Reisman is far more eloquent and precise than me—I will refer you to three of his articles, with which I agree fully. . . "Microsoft and Its Enemies" (9/27/98) at: <http://www.capitalism.net/articles/microsoft.htm> "A Brief For Microsoft" (3/13-14/2000) at: <http://www.capitalism.net/articles/BriefMS1.htm>

"The Meaning of the Government's Proposal to Break Up Microsoft" (4/30/2000) at: <http://www.capitalism.net/articles/Microsoft%20Breakup.html>] My interest in this issue arises primarily out of a concern

for the future of American freedom. Human beings literally cannot survive without the freedom to produce, keep, and trade the material means required for the continuation of life, liberty, and happiness. But political freedom cannot exist without economic freedom—the destruction of one, in whole or in part, necessarily means the proportional destruction of the other.

The famed Austrian economist Ludwig von Mises (Reisman's mentor, as it happens,) warned that government controls on the market inevitably breed further controls, and that if the trend is never reversed, government interventionism will escalate to the point where every facet of economic activity is controlled by the state—the "Zwangswirtschaft" of Nazi Germany being the most vivid example.

It is time to end the witch-hunts, to reform and/or dismantle the corrupt legislation under which they're conducted (i.e. antitrust,) and to restore the battered freedoms we require for our very survival as free individuals.

Thank you for listening, I realize that my conception of "brevity" is frequently stunning. . .

Sincerely,

Gregory Gerig
 Montrose, CA USA

MTC-00012516

From: James loren Thompson
 To: Microsoft Settlement
 Date: 1/16/02 3:15am
 Subject: Microsoft Settlement
 James loren Thompson
 564 E 600 N #3
 Spanish Fork, UT 84660
 January 16, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

James loren Thompson

MTC-00012517

From: John White
To: Microsoft Settlement
Date: 1/16/02 4:15am
Subject: Microsoft Settlement
John White
164 Northridge Dr Apt 2
Shawano, WI 54166-2036
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
John H. White, III

MTC-00012518

From: jo tarantino
To: Microsoft Settlement
Date: 1/16/02 5:06am
Subject: Microsoft Settlement
jo tarantino
4528 Rosemont avenue
la crescenta, ca 91214
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
jo tarantino

MTC-00012519

From: Bartley Benson
To: Microsoft Settlement
Date: 1/16/02 4:13am
Subject: Microsoft Settlement
Bartley Benson
9748 Kelly Cem. Rd.
Maceo, ky 42355-9752
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Sincerely,
Bartley C Benson

MTC-00012520

From: Matt Modell
To: Microsoft Settlement
Date: 1/16/02 4:04am
Subject: Microsoft Settlement
Matt Modell
7 N. Randall Ave Apt. 6
Madison, WI 53715
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Matt Modell

MTC-00012521

From: Betty L. Smith
To: Microsoft Settlement
Date: 1/16/02 5:56am
Subject: Microsoft Settlement
Betty L. Smith
Rt. # 8 Box 153A
Marietta, OH 45750
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Betty L Smith

MTC-00012522

From: Duane Miller
To: Microsoft Settlement
Date: 1/16/02 3:07am
Subject: Microsoft Settlement
Duane Miller
1711 W. Pine St.
Lodi, Ca 95242-3146
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Duane M. Miller

MTC-00012523

From: Norman Leathers
To: microsoft.atr@usdoj.gov.?@inetgw
Date: 1/16/02 6:08am
Subject: microsoft settlement

Lets get on with it. Lets stop wasting time and taxpayers money. The settlement is fine as it is. Some States are just to greedy and if looked into the relatives or close friends are making money on the deal. That is how Massachusetts governors arrive in office as paupers and leave office as millionaires. The Microsoft settlement is fine and fair as is.

MTC-00012524

From: Andy Wood
To: Microsoft ATR
Date: 1/16/02 6:14am
Subject: Microsoft Settlement

To whom it may concern: pAs an American citizen and a user of many Microsoft products I am certainly happy to see that the Tunney Act is apparently heading in the right direction concerning the antitrust settlement.

Though I am an engineer and not an economist, with what I have read and understand concerning this mater, I believe

that our economy will benefit should this be settled. Our economy is based upon free trade; when a manufacturer makes a product that, in my opinion, is far superior to that of the competition, and a majority of the public wishes to use that product, how can the determination be made that a monopoly exists? I don't support monopolies, but when the competition's products "don't measure up," I don't feel the Microsoft situation is a monopoly. The public demands the superior product, and Microsoft makes the superior product. The Department of Justice is an entity of the American Government, and the government is here to serve the public; please serve the American people and consider settlement.

Thank you very much.

Best regards,
Robert A. (Andy) Wood

MTC-00012525

From: nmmr
To: Microsoft ATR
Date: 1/16/02 6:19am
Subject: Microsoft

It is far past the time when this case should have been settled. Stop the litigation! The continued litigation is meant to destroy free enterprise and a company that has done great things for all of us. It is not wrong to be good at something in the USA and to prosper!!!

N.M.Rademacher
Minneapolis, MN 55430
nmmr@mymailstation.com

MTC-00012526

From: Larry J.Schexnaydre
To: Microsoft ATR
Date: 1/16/02 6:42am
Subject: Microsoft Settlement

Its time to move on with this issue. I feel that it is in the best interest of the Country and especially to the ECONOMY to stop any further litigation.

Larry J. Schexnaydre
160 Murray Hill Dr.
Destrehan,La. 70047-3518

MTC-00012527

From: Lavon (038) Mary Abbott
To: Microsoft ATR
Date: 1/16/02 6:45am
Subject: Review

I feel the JDhas been wrong in this matter from the start and is the cause of much of the economic problems that we are goinh through now. Doublr your offer in cash or in kind materials and computers and get this over with. The DJ is wrong but settlement is much needed. Hudson L Abbott. I own Microsoft stock but I am first an ammerican that thinks this was bad from the start.

Agressive political JD egged on by jelious competers. Get your FREE download of MSN Explorer at <http://explorer.msn.com>.

MTC-00012528

From: JCBOGG@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 6:57am
Subject: microsoft settlement

Hi Doj

Please settle the microsoft litigation. Enough time and expense has been taken on this matter.

I feel that turning this (the settlement) into another "OJ" type extravaganza will happen if many people have their way. For some reason We as Americans tend to not just resolve a matter, but bury it also. This is no good for our country or our economy.

It is time to accept the settlement now .

Osama is our enemy, not Bill Gates.

psincerely,
jack clayton/jcbogg@aol.com

MTC-00012529

From: Mike Barry
To: Microsoft ATR
Date: 1/16/02 7:02am
Subject: Microsoft Settlement
Dear Sirs

As to the Microsoft case, I would like to go on record to state that as a concerned citizen, the proposed settlement is indeed in the public interest. Please see to it that the Microsoft case is settled without further litigation. The proposals by Microsoft seem to be more than fair.

Michael G. Barry
mbarry@ee.net

MTC-00012530

From: TS
To: Microsoft ATR
Date: 1/16/02 7:08am
Subject: Use of the Microsoft's \$1Billion offer

I am glad that the DOJ rejected Microsoft's offer to flood schools with their computers. I also believe they should be held liable for their monopolistic tendencies(I know, technically MS is not a "monopoly", just like we are not at 'War' with the Taliban and Al Qaida).

Here are some proposals for remedies in the MS suit to reduce their current anti-trust liability: Have Microsoft give the previously offered \$1 Billion in equipment and software to the US government and the states to be used for computerized voting before the next presidential election. p(remember IBM did all the scores and stats at the olympics, the next election should be simple compared to that and should not cost \$1B) pMany states can not afford the equipment to change from punch card ballots machines to computerized voting. Everyone agrees(at least the intellectual people) that computerized voting will prevent situations like the FL butterfly ballot. Putting machines in a voting area for occasional use does not lead to the same market-share capture that would occur if schoold children were using the machines on a daily basis. (e.g. NCRs control of ATMs does not make people want to have an NCR machine at home)

Even better have them spend a few extra hundred million on a secure database that can be used for the national results and develop training for users. They could also computerize voting cards and provide for voting on the Internet (If the internet is secure enough to use your credit card, why not cast a vote on it). I realize that only 50% of the US currently has access to the internet but allowing Internet voting does not disenfranchise someone from using the old fashioned method of going to a polling location. Let's quit saying what we can't do and take action to prove we are the most technologically advance country in the

world. (Many European countries already allow voting over the Internet so does that mean they are more democratic than we are because they make it easier for their citizens to vote).

If they have another \$1Billion in hardware and software to share, they should send it to support the poor countries that we are fighting to clean up. Put some hardware and software on the ground to help the Afgan and Somali governments. I believe India has more MCP's than the US so we could hire them to work for these governments, leaving more American jobs open for Americans instead of green-card visitors.

Either solution can serve as a punishment for MS and save taxpayers a great deal of money. Both ideas help the US. The last item that is needed with respect to MS oversight is that they need to be evaluated and audited in a manner similar to the automobile industry.

How safe is their software (like the Insurance Institutes crash tests) using typical consumer purchased solutions (i.e. based on average purchased computer hardware and software configurations, not MS specialized configurations: what is the status of crash worthiness, crash frequency, severity of data loss during crash, theft prevention, unauthorized access when on the internet)?

How long does it take the computer to boot up or re-boot based on purchased configurations (something like evaluating a vehicle's gas mileage)?

With reference to Apple's Steve Job, imagine how long it takes to boot your computer. Multiply that effect times the number of computers and the number of times you have to re-boot. Multiply that times the average cost per hour of workers or free time of an individual and calculate the time and cost wasted sitting in front of a computer while waiting for it to re-boot. E.g. a one-minute re-boot times 50 million computers (rough estimate of the MS computer count) at 60 seconds per re-boot is the equivalent of 350,000 man-days or 100 man-years of lost time each day. Re-phrased, the US loses more than one average persons life in time each day waiting for MS computers to re-boot. We need to find a better way to use the time of over 400 people a year than sitting in front of a re-booting machine.

The goal of this evaluation would not be directed at punishing them but instead would be used to drive them to improve their performance in a way that benefits the US public since normal market place controls can not penetrate through their monopolistic characteristics. The evaluations should be done quarterly, they should be based on a few areas of concern (perhaps no more than the two items mentioned above) and like the auto-industry, failure to comply with goals that have been set can result in a penalty.

For instance, set the re-boot goal to the current average time of all computers and if MS computers take longer than others start lowering their allotted time by 4% a year (60 second re-boot would need to be 57.5 after the first year).

MTC-00012531

From: Duncan D McGregor

To: Microsoft ATR

Date: 1/16/02 7:06am

Subject: Microsoft Settlement

Friday, January 11, U.S. District Judge J. Fredrick Motz rejected a settlement that would have resolved more than 100 private class-action lawsuits filed against Microsoft in the wake of the 1999 decision issued by Judge Thomas Penfield Jackson during the trial court phase of the federal antitrust lawsuit.

Under the proposal's terms, Microsoft would have given disadvantaged public schools more than \$1 billion in funding, software, services and training, and around 1 million Windows licenses for renovated PCs.

It seems ridiculous that a Federal Judge would reject such a settlement. The only people who win in class action suits are lawyers. Why not let the public win for a change?

Duncan D. McGregor

313 Curtis Road

Chesterfield, SC 29709

MTC-00012532

From: John Eide

To: Microsoft ATR

Date: 1/16/02 7:16am

Subject: Microsoft Settlement Enough already!

Its time to end this litigation and move on. John Eide-Naples FL

MTC-00012533

From: Wetzl, Tom

To: 'microsoft.atr@usdoj.gov'

Date: 1/16/02 7:19am

Subject: microsoft settlement

As a National Board of Professional Teacher certification teacher I strongly support the Microsoft settlement that would put computers and software into our classrooms. Our nation's children would benefit from the settlement strengthening our future,

Sincerely,

Tom Wetzl, NBPT Certified

MTC-00012534

From: JWTARBELL@aol.com@inetgw

To: Microsoft ATR

Date: 1/16/02 7:26am

Subject: microsoft settlement

Please just settle this case. The cost of taking it any further will lead to a continued waste of tax payer dollars.

John Tarbell

MTC-00012535

From: vze3283r@verizon.net@inetgw

To: Microsoft ATR

Date: 1/16/02 7:26am

Subject: MICROSOFT SETTLEMENT

I support the Microsoft Settlement that has been reached with 9 states. Bill Gates and Microsoft should not continue to be punished. America has always been about innovation, creativity and competition. It is part of our culture and drives everything we do. It is time to move forward and renew the pace of technological innovation that is driving our economy and enhancing our nation's productivity. Technology and productivity enhancements are America's only sustainable competitive advantage in a global economy, and it is wrong to threaten

that for the sake of a few envious Microsoft competitors.

Regards,
Clark Handy

MTC-00012536

From: Nathan Luppino

To: Microsoft ATR

Date: 1/16/02 7:27am

Subject: Microsoft settlement

A settlement has been reached which seems to be fair and equitable to all involved. Now a few politicians want to enhance their political standing by trying to use Microsoft as a springboard. Lets move on! Microsoft has been a great company and done much for the economy of this country. We need companies like Microsoft and less politicians.

MTC-00012537

From: Aaron Batty

To: Microsoft ATR

Date: 1/16/02 7:29am

Subject: Microsoft Settlement

Microsoft, due to its monopoly status, is able to charge exorbitant prices for even its most basic software. Personally, I like their software. I like their OS (although they often cut corners on security issues); but their pricing doesn't make any sense. They are the MOST expensive OS and office software provider, despite well over 90% market share. The MacOS is cheaper, and more secure, and Apple's office software suite is comparable in functionality, but costs considerably less. Linux is free, and more secure, and the main office suite for that—StarOffice—is usable and ALSO free. It should be obvious to even the most casual observer that Microsoft is engaging in price gouging. It's not fair, and it hurts competition, hinders the advance of technology (Just look at the amazing things happening because of the Intel/AMD competition going on right now!), and gives the consumer the short end of the stick.

My suggestion is to force MS to QUICKLY (say, within one year) open up ALL APIs of the Windows OS, if not take the OS business away from them entirely and make it an open source environment. This way, MS could focus on its Office Suite, which, as one who has used other OSes and other office suites extensively, I can say is their superior product, and would allow third-party competition in this field, advancing technology, lowering prices, and making consumers much, much happier.

I don't hate Microsoft. I would fight to squeeze every penny I could out of this situation as well, but that doesn't mean that it's the right thing for the consumers or for the advancement of technology. Both of those concerns should come long before any concerns of the profitability of any single company.

Thank you for your time.

Sincerely,
Aaron Batty

MTC-00012538

From: Jeffrey C. Graber

To: Microsoft ATR

Date: 1/16/02 7:31am

Subject: Microsoft Settlement

DOJ: As a concerned citizen, I firmly support the decision of the Justice

Department to settle the antitrust case against Microsoft as it is currently written. It is fair to both sides and is in the best interest of the country and the business community. Thank you.

Jeffrey C. Graber

MTC-00012539

From: Anita Collins
To: Microsoft ATR
Date: 1/16/02 7:35am
Subject: Microsoft settlement

Enough is enough. What is to be gained by dragging this further through the courts? If the states truly had the consumer at heart they would not continue this unending suit.

MTC-00012540

From: Gil Koedel
To: Microsoft ATR
Date: 1/16/02 7:43am
Subject: Microsoft Settlement
Faxed letter to Ashcroft and Santorum.
Gil Koedel
441 Forest Highlands Drive
Pittsburgh, PA 15238
CC: Gil Koedel

MTC-00012541

From: Herb Butterworth
To: Microsoft ATR
Date: 1/16/02 7:40am
Subject: Microsoft Settlement

Everyone that I talk to agree that settlement is good for them and the American economy, and overwhelmingly want to move beyond this litigation. Current news reports gives the appearance that certain Government officials are in Apple Computer's pocket.

I strongly urge the DOJ to settle this issue. The provisions of the agreement are tough, reasonable, fair to all parties involved, and go beyond the findings of Court of Appeals ruling.

George Butterworth
5531 west hwy 70
Science Hill, Ky 42553

MTC-00012542

From: Radeke, Donald E.
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/16/02 7:52am
Subject: Microsoft Settlement

I am a computer programmer, a MS software user, a MS stock owner (only 300 shares), and a tax payer. I think other companies often provide better software than MS. As a consumer, however, I believe MS has provided quality products at a fair price in a highly competitive marketplace.

I also think it unfortunate that our federal government and several state governments have spent so much time and money in an attempt to extort money from a company with money. Much of what has happened in the MS Case has been politically motivated which the Clinton administration was only too happy to pursue because MS competitors gave generously. And, MS was not a big contributor to either political party. But just look at their cash position! MS is a lucrative target for the lawyers and others who want to take money away from anyone who has it, even though they earned it through hard work.

Stop the litigation nonsense and maybe the business climate will change so the US

economy will get back on track. When did business confidence begin to slide? And when was the first suit against MS made?

MTC-00012543

From: Paul Johnson
To: Microsoft ATR
Date: 1/16/02 7:58am
Subject: Microsoft Settlement
Introduction

I write to comment on the proposed settlement between the US Department of Justice and Microsoft (the Proposal). I believe that the Proposal makes progress in the right direction, but does not go far enough.

I am a British subject, and must therefore beg forgiveness for intruding on a case being heard in the United States. However Microsoft is a multinational company, and holds a similar market position in both the US and Britain. If it is implemented then the Proposal will have essentially the same impact on both our countries. Finally I note that the European Union is considering its own action to curb the Microsoft monopoly, but is awaiting the resolution of the US case. I therefore feel that I have a legitimate interest in the outcome of this case, and submit my comments accordingly.

I hold a degree in Computing Systems from University College Cardiff (now part of the University of Cardiff). I have been a practicing computer scientist ever since. I have been following the Microsoft case with great interest since it started. Summary Microsoft holds a dominant position throughout the software industry. A remedy which deals exclusively with "middleware" is not sufficient. All Microsoft software should be covered. Microsoft is a repeat offender and there is no reason to think that this case has changed its character, so remedies must be carefully drafted to avoid leaving loopholes.

There should be no restrictions on pricing or product tying. Microsoft should be left free to develop and sell its products as it sees fit. The only exception to this are the rules which cover OEMs ability to include competing products instead of Microsoft ones.

Microsoft's monopoly position is founded on its control of proprietary interfaces. Microsoft products are linked through a network of proprietary interfaces, making it difficult for competitors to produce software that will inter-operate with Microsoft software. If the proprietary interfaces were published then competitors could produce software that competed directly with Microsoft without the expensive and error-prone process of reverse engineering. These proprietary interfaces are in the form of file formats, network protocols and APIs. All three need to be made available to competing products.

Where two Microsoft products work together the interface between them can best be made available by setting up a "Chinese wall" between the development groups responsible for them, and then requiring Microsoft to publish all the technical data that is exchanged between these groups.

Where one copy of a product communicates with other copies of the same product (such as when an MS word

document is sent to another MS Word user) the file format or communication protocol should be published in a form which allows independent verification that the product conforms to the published description.

Special consideration should be taken of Open Source Software development over the questions of cost, trade secret status and patent licensing. The "security related" exception to disclosure should be narrowed to include only keys, passwords and similar security tokens.

Microsoft's Position

Microsoft currently holds a dominant position in the computer software industry, and as I shall show below it maintains this position through control of proprietary interfaces. I believe that a fair and effective remedy should destroy the competitive advantage that Microsoft gains through its control of interfaces, but still allow it to compete and innovate on equal terms with its competitors.

(In the longer term I would suggest that legislation be created to require all software companies above a certain size to publish the details of their interfaces, and thereby create a truly level playing field in the software market. However that is not the subject of this note.)

Over the past decade Microsoft has repeatedly demonstrated a willingness to evade or ignore regulations aimed at curbing its monopoly power. There is no reason to expect this behaviour to change. Therefore any effective remedy must be drafted to block not only the past misdeeds of Microsoft but any it might devise in the future. The rules under which Microsoft is to operate must be unambiguous and, as far as possible, free from the need to make value judgements as to whether Microsoft has fulfilled its obligations sufficiently.

Product Tying

The current case was originally concerned with the alleged tying of Microsoft Internet Explorer with Windows 95, in violation of anti-trust law. However the list of features which users expect to find in an operating system has evolved over time, and continues to do so. A previous example concerns "disk defragmenters", which optimise the arrangement of data on a disk in order to speed up access. Before Windows 95 these programs were sold separately by competitors to Microsoft. When Windows 95 was released it included a disk defragmenter. The competing companies could no longer sell their existing products, but there was no public outcry because disk defragmentation is generally considered to be a function of the operating system. Similarly when Microsoft first bundled Internet Explorer with Windows a web browser was considered an application. Today most consumers would expect to find it bundled with the operating system. Suppose that ten years ago Microsoft had been effectively prevented from adding new features to Windows: today a modern PC would have to include a dozen or more small packages of software that would be more economically produced and sold as a single product. Computer vendors would have to purchase and integrate all of these small packages, and buyers would have to cope

with a bewildering checklist of small but important items that they would have to ensure their computer included. The variation in quality and operation of these packages would present serious challenges to the use and maintenance of different PCs. Such a situation would not be in the interests of the consumer.

Thus a fair and effective remedy cannot enjoin Microsoft from ever bundling new functionality in its products, even when a market for that functionality already exists and is serviced by third party products.

US anti-trust law deals with this point by requiring that product tying of this sort be of benefit to consumers, and prohibiting predatory pricing. However this principle is of little help in the software market:

The "benefit to consumers" test largely fails because if Microsoft adds a feature to a package then it saves the consumer the trouble of buying and installing extra software to provide that feature. Thus a strong argument can always be made in favour of any particular feature being added. There is no "fair" price for software in the sense that there is for physical products (i.e. the unit cost plus a reasonable profit) because there is no unit cost. The cost of software is entirely in its original development. Left to themselves software vendors will set a price which maximises their income, but there is no link between this price and the cost of development. Any plan to regulate Microsoft by imposing fair prices must therefore remove entirely its right to set its own prices, and this in turn will require it to negotiate a price for software with the regulator before starting development. This is highly unlikely to benefit consumers. But if Microsoft is free to set prices, even to set them at zero, then it can effectively tie products by distributing free add-ons at the point of sale.

Therefore I must reluctantly conclude that regulating Microsoft's ability to tie products is likely to do more harm than good, and should not be included in the final remedy. Microsoft should be left free to determine what functionality is included in each of its products.

The Proposal also sets rules for the related issue of the "Desktop". This properly prevents Microsoft from ensuring that its products are more prominent on the desktop than those of its competitors. Such user interface concerns are important, but are not the subject of this note.

Interfaces

The Proposal concentrates on the "Application Programmer Interfaces" (APIs) to Microsoft "Middleware" (a vaguely defined term, roughly meaning software that sits between the operating system and the applications employed by end users).

The Proposal is right to concentrate on interfaces. Microsoft has always used proprietary interfaces to manipulate the market and lock out competition. To illustrate how this works, suppose Microsoft sells products Foo and Bar that communicate via a proprietary interface. I purchase Foo, and subsequently want the added functionality of Bar. There may be many competitors in the market for Bar, but they are effectively excluded from my

consideration because their products cannot communicate with Foo.

Similarly if copies of Foo communicate with each other through a proprietary interface then anyone wishing to work with me must also purchase a copy of Foo. This creates a "network externality" that ensures that even in a competitive market the best option for an individual consumer is the product with the largest market share, since this brings them into the largest population of potential collaborators.

By creating a web of proprietary interfaces, both between products and between its customers, Microsoft has ensured that it is locked into its market in a way that has never before been possible. It is this stranglehold on the market for software that must be broken. Since Microsoft has used its control of proprietary interfaces to achieve this, it is on interfaces that any effective remedy must concentrate.

The focus of the Proposal on "middleware" is misguided. It excludes applications and operating systems, which are the two areas where the monopoly power of Microsoft most needs to be restricted. Furthermore its vague definition creates too much opportunity for Microsoft to redefine critical interfaces as something other than "middleware", leading at best to argument and delay.

Examples

It is worth looking at two of these interfaces to see how they lock Microsoft into the market. Microsoft Office is the leading "office productivity suite". There are competitors, but they are critically hampered because their users cannot reliably exchange documents with MS Office users. Some degree of inter-operability does exist, but this has been enabled by painstaking "reverse engineering": the competitor can only learn about document formats by inspecting the files created by Office and trying to deduce how each part of the document is encoded in the file. This process is expensive and error-prone, and Microsoft can always introduce new features faster than they can be reverse engineered. As a result no existing competitor to Office can reliably import a complex document. Consumers know this, and therefore avoid these competitors. This prevents the competitors from gaining market share, no matter how good their products might otherwise be.

The Kerberos security protocol was developed by MIT and has now become an important component of many systems. Microsoft included Kerberos support in Windows 2000, but with a small change. Kerberos is an "authentication" protocol: it guarantees that the parties to a transaction are who they say they are. Microsoft added authorisation data to the protocol. This meant that Windows 2000 would only grant access to shared files and printers if the Kerberos "ticket" presented by the user had been issued by a Windows 2000 server. This appears to have been an attempt to lock competitors (including the freely available MIT server) out of the market for Kerberos authentication products. In response to a public outcry within the computer industry Microsoft first insisted that the format of its extra data was a trade secret, and then released the format on its web site under a

"click-through" license under which the recipient promised to keep its contents a secret. I will return to this strange license later in the section on Open Source Software.

The net effect of this web of proprietary interfaces is to make any mix of Microsoft and competing products less functional than a pure Microsoft solution. A pure non-Microsoft solution is not usually possible, either because Microsoft has driven the competition into the ground or because there is a need to communicate with others who are using Microsoft. Hence the only choice is between a pure Microsoft solution and a mix. In a world which is dominated by Microsoft there can only be level competition if the interfaces to Microsoft software are equally open to all competitors.

Files, Protocols and APIs

There are three types of interface which an effective remedy must address: files, network protocols, and APIs. Files stored on disk are an important repository of value for any computer user. The ability to read this data and exchange it with others is the most important requirement for any new software. Therefore Microsoft should be required to disclose the file formats for all its software. This will enable competitors to create software which reliably works with files created by Microsoft software. The main immediate effect of this will be to enable competitors of Microsoft Office to compete on a level playing field. In the longer term it will prevent Microsoft from using the proprietary file format of any popular application to gain a monopoly position through market lock-in.

Similarly, protocols used to communicate over networks should be opened up. The Kerberos example above illustrates how even seemingly minor proprietary extensions can create strong market lock-in. As the Internet becomes increasingly important so the use of proprietary protocols will become an important method for Microsoft to maintain its monopoly position unless it is stopped.

APIs are a much more complicated issue than files and protocols. For every file format or network protocol used by Microsoft there are thousands of "function calls", the basic element of APIs. Function calls are used both within a single product and between products. There is no simple way to distinguish the function calls which are made within a product and those made between products unless the products in question are designed to work separately as well as together. Microsoft has already used this fact to obfuscate the question of whether Internet Explorer is intrinsically integrated with Windows 95. It can be expected to use this tactic again in the future. Since it is not feasible to use product tying rules to prevent this (see above), I suggest that Microsoft be required to identify every API which is used to communicate between software in two different products, and disclose that API in full. The smallest unit of "API" to be disclosed should be the "DLL" (Dynamically Linked library). In Windows a DLL is a single file which provides collection of functions to other software. Making DLLs atomic for disclosure purposes will encourage Microsoft to keep the APIs for communication between products distinct from the APIs within

products, thereby reducing the work required by competitors who wish to offer competing products which offer the same APIs.

Disclosure Mechanisms

Detail

The Proposal has nothing to say about what level of detail will be included in the interface descriptions. This issue is not trivial.

For programmers, the ultimate description of what a function within an API does is the source code which implements that function, which leads programmers to say "use the Source, Luke" when faced with a detailed technical query about a piece of software. However the inspection of source code is not always practical, either because the code in question is proprietary (as in this case), or just because it would take too long to understand. Hence developers routinely produce documentation which describes the functions in an API in a more readable form.

The Proposal seems to envisage this kind of documentation being made publicly available. However there does not appear to be any incentive to Microsoft to make this documentation complete or accurate, other than enforcement by the courts. Since this kind of document can never be 100% complete or accurate the question will arise as to whether it is good enough. If Microsoft acts true to form it will inevitably argue that its documentation is indeed good enough even though it is not, and will carry on arguing this until it becomes a moot point. To avoid this problem I suggest that Microsoft be required to erect "Chinese walls" between the development groups working on different products. Only published documentation may be exchanged between these groups. Hence if Microsoft wishes to sell two products which work together it can only do so if it also informs its competitors how to make products which will can work just as effectively.

The remaining problem on detail is the file formats and protocols used when one copy of a product communicates with other copies of the same product. The Chinese wall system will not work here. However since this problem is restricted to file formats and protocols the problem of ensuring the adequacy of documentation is much smaller.

Established techniques (such as BNF grammars and state machines) can completely describe file formats and protocols, and these can be used as the basis of an unarguable technical finding that either the software or the documentation is defective. This is not a complete solution to the problem, but it should level the playing field sufficiently to allow competition.

Publication and Open Source

Since this case started Open Source Software (OSS), such as the Linux operating system, has become a significant competitor to Microsoft. Therefore any effective remedy must take account of the special requirements of OSS development over normal commercial software development.

The primary issues here are costs, trade secrets, and patents.

Costs:

Whatever disclosure mechanism is chosen for interface descriptions, it must be within

the financial reach of open source developers. A subscription of several hundred dollars a year, such as is required for the Microsoft Developer Network, is trivial for a competing software company but a major hurdle for a volunteer developer working on OSS. Given that interface descriptions must be prepared for competitors, there is no reason why they should not be distributed for free over the web rather than only made available to an exclusive club.

Trade Secrets

Microsoft must not be allowed to pretend that these interface descriptions are trade secrets, as it tried to do with its extension to Kerberos. Because OSS packages include the full source code they inevitably reveal the full details of their operation to any programmer who downloads them. If Microsoft can claim trade secret status on an interface it can effectively block any OSS package from using that interface, since to do so would reveal the "secret" of its operation. This appears to have been the objective of the click-through license on the Kerberos extensions (see above). The "Samba" project (www.samba.org) has reverse-engineered the Microsoft file and printer sharing protocols, allowing non-Microsoft systems to gain access to resources on Microsoft systems. An updated version of Samba for Windows 2000 is being prepared which will need to inter-operate with the Windows 2000 Kerberos extensions. If these extensions are considered trade secrets then it would be impossible for the Samba project to work with these extensions, and a key component in any mix of Microsoft and non-Microsoft computers would be crippled.

Patents

Microsoft has not made much use of patents to protect its market, preferring to rely on proprietary interfaces. However if it is prevented from using proprietary interfaces it may decide to use patented ones instead.

When Microsoft next introduces a new interface, especially a network protocol, it would be a simple matter to obtain a patent covering the operation of that interface. At that point any competitor wishing to inter-operate with Microsoft products using that interface would have to license it from Microsoft. The usual solution in such situations is to require licenses on "Reasonable And Non-Discriminatory" (RAND) terms. However even RAND terms require payment. OSS developers are unable to offer payment. Therefore an effective remedy must require Microsoft to license its patents on RAND terms to commercial software vendors and on Royalty Free terms to Open Source projects.

Incidentally, Microsoft has described OSS as "un-American" and "an intellectual property destroyer". These descriptions try to tar OSS developers with the same brush as software pirates. This is incorrect. Software pirates selfishly take the work of others and use it without paying. OSS developers take their own work and permit others to use it for free. This is a wholly generous act, fully in keeping with the American ideals of volunteerism and service to one's community.

Security Details

The Proposal includes a broad exception for "security related" information. However Microsoft could argue that almost any interface, especially APIs and communication protocols, is "security related" if it is used to carry any kind of authorisation or authentication information. Indeed, it made exactly this argument when it initially refused to reveal its extensions to Kerberos. Therefore the exception for security related information must be narrowly drawn. Fortunately this is not a major problem. It is a basic principle of computer security that would-be intruders will eventually learn the operational details of your security mechanism, either by reverse engineering or by other less legitimate means. Any security which depends on the intruders remaining ignorant of these details is known as "security through obscurity", and regarded by security practitioners as inadequate at best. Therefore the only items which should need to be kept secure are the keys or passwords which operate the software. These can be easily changed if they are compromised. Hence if security interfaces are well designed then they will not need to be kept secret. And if they are not well designed then Microsoft should be required to remedy the fault rather than keep this fact secret.

Conclusion

The proposed Settlement would have little effect upon the business practices of Microsoft. If adopted in its current form then the result will be no change to the behaviour of Microsoft, and yet another prolonged court case in another five or ten years. Any effective settlement must concentrate on opening up the markets that Microsoft has effectively closed by its use of proprietary interfaces, file formats and protocols.

I hereby respectfully submit these comments for your consideration,

Paul Johnson.

MTC-00012544

From: Wayne Wood
To: Microsoft ATR
Date: 1/16/02 8:02am
Subject: Microsoft Settlement

The Microsoft Settlement proposed by the DoJ is satisfactory to proceed on. The nine states that are against said settlement are backed by and supported by the competition of Microsoft, especially in California.

This competition seems to want the DoJ to hand them Microsoft Rights that competitively they were unable to do themselves in a business manner. The latest proposals by Microsoft and the DoJ are adequate and should be approved as is.

Wayne W. Wood
waynewood@msn.com

MTC-00012545

From: Michael Taylor
To: Microsoft ATR
Date: 1/16/02 8:09am
Subject: Microsoft settlement

I think the DoJ should drop the settlement and get on with more important things. don't understand why the DOJ sued MS in the first place. So what if they gave their own—or strategic business partners'—products

preferential treatment on the user interface. Every OS manufacturer does—look at any Apple or LINUX commercial product and you will see the same thing. In case you missed it, MS licenses a lot of the software applications it “bundles” with Windows—and so does Netscape and AOL-Time Warner when you get their products. What makes MS so different?

I used to use Netscape's browser exclusively. It was a great interface, and beat the heck out of MS's Internet Explorer 2 and 3. But, Netscape sat on their butts and MS improved IE's interface. When version 4 of IE came out, I switched over and have never gone back. Netscape radically changed their user interface and it backfired on them. They lost market share and IE went to the front. Not because MS did anything illegal—Netscape simply screwed up. Their “new” interface was so bad, they pulled the product shortly after it was released and went back to redesign it. If Netscape had kept improving their original product, they would still have market share—but they didn't.

Now they want the government to step in and fix a business problem they caused themselves. To prove my point that even they know the screwed up—the latest version of Netscape offers users the choice of their “new” or their “classic” interface. Crappy software products die of their own volition—they don't need a stake driven through their hearts by MS—and legislation won't make people buy them, either.

As for being “forced” to use MS products—any high school student can tell you how to either uninstall a MS product or install someone else's software on a Windows machine. (How do you think all these violent games they are playing get on the computers in the first place? <g>) I think of MS as the Wal-Mart of the industry. They offer a wide variety of products that work well—but there are other products that do certain jobs better out there. Like getting appliances from Sears, or a suit from Armani.

That's why I use Roxio CD Creator to make CDs and not the software MS provides. That's why I use several third party diagnostic tools and not the ones that come with Windows. It's like choosing to have my car customized after I buy it—no one forces me to leave it the way it was when I bought it if I don't want to, I can add fog lights, or fuzzy dice, a neon license plate holder, or even have it repainted if I chose to.

(Personally, I think the DoJ should look at Congress and the motives of Orrin Hatch, the senator from Utah and home state of MS's chief networking rival NetWare—strategic partner of SUN operating system and AOL-Time Warner—and see if their was any conspiracy to attack MS amongst them. .)

Mike Taylor

MTC-00012546

From: Tony Dye
To: Microsoft ATR
Date: 1/16/02 8:14am
Subject: Continue to litigate the MS Antitrust deal

I'm an American citizen living in Ireland, and for the record, I want to publicly request that you continue to litigate the MS case, rather than settle under the current terms of

the settlement. I feel those terms do absolutely nothing to remove the specter of Microsoft as a monopoly force in the industry.

Tony Dye

MTC-00012547

From: Gail Bell
To: Microsoft ATR
Date: 1/16/02 7:20am
Subject: Microsoft settlement

We feel that it is time to settle this dispute, it has gone on long enough. It seems that this agreement is fair and just to both sides. Let's get on with life and move on to other items of business. Surely there are other things that need to be considered.

Gail and Major Bell

MTC-00012548

From: Georgia
To: Microsoft ATR
Date: 1/16/02 8:21am
Subject: microsoft settlement

I REALLY THINK THIS IS THE MOST STUPID LAWSUIT THERE IS. FREE ENTERPRISE IS WHAT WE WERE BUILT ON. IF SOMEONE CANNOT GET OUT THE PRODUCT IT DOESN'T MAKE THE FIRST ONE WRONG. IF I HAD A BETTER PRODUCT TOO BAD FOR THE NEXT GUY. DROP ALL LITIGATION ON THIS PROBLEM WITH MICROSOFT. AMERICA WAS BUILT ON FREE ENTERPRISE.

GEORGIA WILLARD

MTC-00012549

From: bsteele@citgo.com@inetgw
To: Microsoft ATR
Date: 1/16/02 8:22am
Subject: Microsoft Settlement

It's time to put this case to rest. Why does everyone want to always pick on the big and successful? Our society encourages us to be successful and then when we are everyone complains, especially the ones not smart enough to make it on their own.

This case is nothing but a bunch of spoiled brates who can't stand losing to Bill Gates, they don't like him. They need to spend their energy worrying about their companies, not Microsoft.

CC:bsteele@citgo.com@inetgw

MTC-00012550

From: kevin.richman@accenture.com@inetgw
To: Microsoft ATR
Date: 1/16/02 8:29am
Subject: Microsoft Settlement

At this point I feel it is unnecessary to further pursue litigation against Microsoft. Why penalize a company further when there are clearly other alternatives out there for all of their products. And why inhibit a company from integrating their products. I don't care if my computer comes with Internet Explorer on it, because I know I can just as easily install Netscape or any other browser to access the internet. At this point further litigation is a waste of taxpayer's money and there will be no economic gain by pursuing further action.

Kevin Richman
Michigan

MTC-00012551

From: GrannyD

To: Microsoft ATR
Date: 1/16/02 8:35am
Subject: Microsoft Settlement

I do now and always have felt that the DOJ's and various state attorneys suits against Microsoft Corp. are the result of the prejudiced views of elected officials from states where Microsoft's competition reside. This constitutes what I and everyone I speak to considers an injustice perpetrated against Microsoft Corp. As you know millions of our tax dollars have already been wasted in an attempt to wrongfully punish this company. I like most Americans who used P.C.'s. before the advent of Windows hold Microsoft in the highest regard. I am proud of it's performance in dominating it's field because in doing so it took us out of the realm of cryptic DOS code and into the future of computing. Lets face it, the driving force behind any great advancement has always been profit. By punishing Microsoft for doing exactly what any other large corporation or small businessman would do in it's place sends a bad signal to those of us who have the nerve to gamble in the high stakes world of business. By the way what would the trade deficit have been last quarter if Microsoft did not sell software worldwide?

Please stop this nonsense and accept this settlement that is already much larger then the so-called (but in my mind fabricated) harm done to the “public” Let this great American company thrive and grow.

Thank you for considering my position.
Janet F. Dasaro

MTC-00012552

From: David
To: Microsoft ATR
Date: 1/16/02 8:40am
Subject: Microsoft Settlement
T.W.I.M.C.

Whatever happened to the free enterprise system? Look what happened after the breakup of T.P.C.? (The phone company.)

Just because any company with a superior product has certain restrictions doesn't mean that it is wrong. Do all the different automobile parts fit into competitors vehicles? Has GM been forced to make their parts compatible with Ford?

The only place in the world this is necessary in the world isn't in the world. It is on the ISS since everything must fit everything else.

David A. Abbey
4964 Hollywood Road
St. Joseph, MI 49085-9339

MTC-00012553

From: Bobjiles
To: Microsoft ATR
Date: 1/16/02 8:44am
Subject: microsoft settlement

Please settle this WITHOUT any more litigation. It is quite obvious that the states smell money and will do anything to get some of it, even attacking business which is the backbone of this republic. Those attacking business especially those that are successful are the enemy within. Please settle this and get on with following the ten commandments.

Thank You
Robert J. Miles

MTC-00012554

From: David E Provencher
To: Microsoft ATR
Date: 1/16/02 8:46am
Subject: Microsoft Settlement
95 Morningside Drive
Newport Center, VT 05857-9428
January 15, 2002

Attorney General John Ashcroft
U.S. Department of Justice
Washington, DC 20530-0001

Dear Attorney General Ashcroft:

I am a proponent of free enterprise and I believe that under the terms of the recent antitrust settlement between Microsoft and the U.S. department of Justice, Microsoft has not gotten off easy. In fact, their rights are being violated in some ways. Nevertheless, I support the settlement because I think that all parties involved will be better off without further litigation.

First off, Microsoft is being restricted from entering into third party agreements pertaining to exclusive distribution. This term is ridiculous and biased. Most companies, including some like Coca-Cola, rely on these types of agreements to gain and maintain market share. To restrict companies from this form of business is to hinder their chances for survival. Second, Microsoft will be forced to give up technological codes and data, which will allow competitors to configure and create products that, can be prompted within Windows or are compatible with Windows software. This term alone constitutes a violation of Microsoft's intellectual property rights.

I urge your office to finalize this settlement and look out for the American public. I hope the terms of settlement ultimately turn out to be in best interest of the American IT sector and American public. Thank you for your time.

Sincerely,
David Provencher

MTC-00012555

From: Jeff Finkelstein
To: Microsoft ATR
Date: 1/16/02 8:46am
Subject: Microsoft Settlement

I believe it is time for the Federal and State Government to settle the Microsoft case. I believe the current agreement is reasonable and fair given the results of the trial. This agreement will provide reasonable protection for the industry and still permit Microsoft to continue to improve its products to benefit millions of America consumers.

However, I believe key aspects of the government's case are flat-out wrong, such as the contention that Microsoft holds a monopoly over desktop operating systems. That ignores the resurgent Apple Macintosh and the emergence of new Unix-based competitors, like Linux. Americans can purchase an operating system that cost over a billion dollars to develop for \$89, or they can get a less capable Linux OS free, or buy a MAC. There is no evidence of consumer harm and none was provide in the trial. I see the case being driven significantly by politics. More specifically political use of the DOJ for special interest (Microsoft's competitors).

Consider Microsoft's competitive position; Microsoft must convince consumers that it's

product at \$\$\$ dollars is better then it's competitor (Linux) at the cost of \$0 (zero). How can Microsoft be considered a monopoly when it has this level of competition? Will the government be satisfied when a Chinese version of Linux dominates the desktop and tax revenues and jobs from high-tech industries are lost?

Please review this issue carefully as it affects the ability of our nation to compete in the world economy. Please don't undermine the free market and hard work of millions of American who invest in Microsoft and other great companies.

Regards,
Jeff Finkelstein
1015 Woodsman Ct.
Charlotte, NC 28213

MTC-00012556

From: C. Porter Claxton, Jr.
To: Microsoft ATR
Date: 1/16/02 8:47am
Subject: Microsoft Settlement
Gentlemen:

The government has gotten a fair settlement on the Microsoft case, and it's time to quit spending tax dollars and let it be. Pressure should be placed on the states to go along with the settlement. Our economy is suffering enough, it's time to let microsoft get back to work, doing what it does best.

Sincerely,
C. Porter Claxton, Jr.

MTC-00012557

From: Steve Fix
To: Microsoft ATR
Date: 1/16/02 8:56am
Subject: Microsoft Settlement

I have never viewed this case as needed or worth the tax payer's money but driven more for political purposes. As a consumer I have only benefited by the structure of the PC industry in general and Microsoft's role specifically. I believe the court should move quickly to resolve this issue and make the settlement reached with the federal government binding on ALL states. I don't understand what standing individual states have in a case such as this and believe courts have allowed this to go on too long.

Thanks.

MTC-00012558

From: Dorothy MacDonald
To: Microsoft ATR
Date: 1/16/02 8:57am
Subject: Microsoft

To whom it may concern.

It is time the law suit against Microsoft are resolved. It is a shame that the courts have become involved with the politics of Government. Enough already. Settle the cas and let the world get on with more imporant problems.

Dorothy MacDonald

MTC-00012559

From: Terry Fuller
To: Microsoft ATR
Date: 1/16/02 9:00am
Subject: Microsoft Settlement

Dear Mr. Attorney General,

Please see the attached letter in support of Microsoft in its antitrust dispute. I strongly believe that the most noteworthy aspect of

this settlement is that it allows Microsoft to remain together and to continue devoting its resources to designing innovative software, which will benefit the economy, the industry, and consumers.

Sincerely,
Terry A. Fuller,
Ph.D. Pennsylvania

Terry Fuller, Ph.D.
944 Morgan Rd
Rydal, PA 19046
January 8, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I am writing you today to express my opinion in regards to the Microsoft antitrust dispute. I support Microsoft in this dispute, and I feel that the settlement that was reached back in November is fair and thorough. I am relieved that this issue has been resolved, and I feel this settlement serves the best public interest.

Under this agreement, Microsoft has agreed to share more information about Microsoft software codes and books. Microsoft has also agreed to design future versions of Windows to make it easier to install non-Microsoft software. These provisions, along with many others, make it easier for competing companies to conduct business.

The most noteworthy aspect of this settlement is that it allows Microsoft to remain together and finally devote its resources to designing innovative software, which will benefit the economy, the industry, and consumers. Thank you for settling with Microsoft.

Sincerely,
Terry Fuller, Ph.D.
Cc: Senator Rick Santorum

MTC-00012560

From: Anthony Verguldi Jr
To: Microsoft ATR
Date: 1/16/02 9:34am
Subject: Microsoft Settlement
Anthony Verguldi Jr
420 Dartmoor Road
Schwenksville, PA 19473-1865
January 16, 2002

Attorney General John Ashcroft, U.S.
Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

I am writing you today to express my opinion in regards to the Microsoft settlement issue. I support Microsoft and believe this settlement will benefit the public and economy.

This settlement is complete. Microsoft has agreed to furnish more information to companies that are trying to compete. For instance, Microsoft has agreed to disclose for use by its competitors various internal interfaces, as well as "interoperability protocols." In this way, Microsoft has agreed to terms that go way beyond the original issues of the lawsuit.

I believe this settlement will benefit the economy and industry. Please support this settlement.

Thank you for your time.

Sincerely,
 Anthony Verguldi Jr
 CC:fin@mobilizationoffice.com@inetgw

MTC-00012561

From: joanpeterson
 To: Microsoft ATR
 Date: 1/16/02 9:06am
 Subject: Microsoft Settlement

It is in the best interest of our country and our economy to put this case behind us and let Microsoft go about the business of innovating! We have lost precious time since Microsoft has been inbroided in this mess. We should reward intellegence, not punish it!

MTC-00012562

From: joanpeterson
 To: Microsoft ATR
 Date: 1/16/02 9:08am
 Subject: Microsoft Settlement
 Leave Microsoft alone!

MTC-00012563

From: Keith J. Lewis
 To: Microsoft ATR
 Date: 1/16/02 9:14am
 Subject: Microsoft Settlement
 To US DoJ:

I beleive that Microsoft is a leader and innovator in developing innovative and useful software for the general public. I don't believe that it is in the Government's best interest to drag this case out. I strongly feel that many of the State's objections to the Microsoft is disingenuous at best and specious in fact. I remember seeing a Oprah Winfrey program that featured Larry Ellison of Oracle wherein he stated that he would donate I believe some 10 million dollars in software to the school system. I don't believe there was any outcry from Apple or anyone else! Microsoft does much to help individuals develop software much like IBM did at one time. I hope that the US Government and the States can come to a resolution soon for the sake of the economy.

K. Lewis
 CC:Keith John Lewis

MTC-00012564

From: Dr. Michael J. Kraut
 To: Microsoft ATR
 Date: 1/16/02 9:16am
 Subject: Microsoft Settlement
 Dear Sirs:

The proposed settlement of the Microsoft anti-trust suit is fair and reasonable. It is time to move on; I urge you to close this case.

Michael J. Kraut, M.D.
 Associate Professor of Medicine
 Wayne State University

MTC-00012565

From: David Oakes
 To: Microsoft ATR
 Date: 1/16/02 9:16am
 Subject: Microsoft anti trust suite

Dear Dept. of Justice,
 Please go on to more important matters and leave Microsoft alone. They have done nothing but create wealth and jobs for Americans.

David Oakes

MTC-00012566

From: Judyth K. Sweet

To: Microsoft ATR
 Date: 1/16/02 9:10am
 Subject: Microsoft Settlement
 23720 Brownstown Square Drive
 Apt. #103
 Brownstown Twp, MI 48174-9387
 January 15, 2002
 Attorney General John Ashcroft
 US Department of Justice
 950 Pennsylvania Avenue, NW.,
 Washington, DC 20530-0001

Dear Attorney General Ashcroft:

Though not a regular computer user, as an American who believes in the importance of the entrepreneurial spirit, I would like to voice my opinion on the stance the Justice Department needs to take on the upcoming settlement decision with Microsoft. I believe to take a truly great American company that started from ground zero and earned its way to the top, then break it up or infringe on its right to do business is not in the spirit of fair competition that so many claim to support. Now that Microsoft has offered a settlement, its time to put this behind us.

The current proposal sounds very fair. From what I've read, Microsoft will standardize pricing for its customers, not act against any customer that uses competing software and will even allow other companies to access and license its internal intellectual property. The company has then agreed to a technical committee of software experts to oversee Microsoft's continued compliance of the deal. So, it seems like any concerns from before the lawsuit are being met and the Big Brother approach by the government needs to stop immediately.

Please accept the terms of this settlement and allow Microsoft to focus on creating jobs again, which the country needs most right now. I thank you for your attention to my feedback.

With sincere regards for American enterprise,
 Judyth Sweet

MTC-00012567

From: Mardi Bergen
 To: Microsoft ATR
 Date: 1/16/02 9:22am
 Subject: anti-trust

Please settle ASAP so we can all get on with this creative work. Thank you,
 M. Bergen

MTC-00012568

From: RNeff1231@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 9:24am
 Subject: Antitrust Case

We support settlement of the Microsoft in the antitrust case. The government and Microsoft have already expended too many funds on this litigation. As usual, the real winners are the lawyers. In the end, the consumer will lose anyway thanks to all the tax dollars spent on the litigation. The current settlement sounds like a good deal to the states. Why don't we accept it and move on?

MTC-00012569

From: Paul Greatbatch
 To: Microsoft ATR, Steve Ainger, Reid
 Miller, Ram Angia, C. . .
 Date: 1/16/02 9:26am

Subject: Lord of the Rings—sort of

Recently one of my friends, a computer wizard, paid me a visit. As we were talking I mentioned that I had recently installed Windows XP on my PC. I told him how happy I was with this operating system and showed him the Windows XP CD. To my surprise he threw it into my microwave oven and turned it on.

Instantly I got very upset, because the CD had become precious to me, but he said: 'Do not worry, it is unharmed. After a few minutes he took the CD out, gave it to me and said: 'Take a close look at it.' To my surprise the CD was quite cold to hold and it seemed to be heavier than before. At first I could not see anything, but on the inner edge of the central hole I saw an inscription, an inscription finer than anything I had ever seen before. The inscription shone piercingly bright, and yet remote, as if out of a great depth:

I cannot understand the fiery letters,' I said in a timid voice. 'No but I can,' he said. 'The letters are Hex, of an ancient mode, but the language is that of Microsoft, which I shall not utter here. But in common English this is what it says:

One OS to rule them all,
 One OS to find them,
 One OS to bring them all and in the darkness bind them.

It is only two lines from a verse long known in System lore:

"Three OS's from corporate kings in their towers of glass,
 Seven from valley lords where orchards used to grow,
 Nine from dotcoms doomed to die,
 One from the Dark Lord Gates on his dark throne In the Land of Redmond where the Shadows lie

One OS to rule them all, one OS to find them,

One OS to bring them al and in the darkness bind them,
 In the Land of Redmond where the Shadows lie."

It WANTS to be installed
 Best Regards,
 Paul

MTC-00012570

From: Becky Jennings
 To: Microsoft ATR
 Date: 1/16/02 8:28am
 Subject: Microsoft Settlement
 Gentlemen:

I believe that the government's settlement with Microsoft has been done fairly and appropriately. I would like to see all other litigations discontinued. I believe that this would be the best route for consumers, our country and our educational systems.

Thank you.

Cordially,
 Becky Jennings

MTC-00012571

From: Merrick, Carl
 To: 'microsoft.atr(a)usdoj.gov'
 Date: 1/16/02 9:38am
 Subject: Microsoft

The Microsoft Marketing Machine is still up to their old tricks with their new products even after being told to cease and desist. I am

actively involved with a deployment of their newest operating system, Windows XP, and it's still the same old issues. MSN Messenger is installed by default and the uninstall is hidden. Obscure file edits are necessary to complete the uninstall. MSN is still the default in Internet Explorer 6, all search functions point to MSN. MSN Explorer is installed by default to the desktop. The OS reports back to Microsoft by default. Many hours were spent uninstalling this unneeded software. The OS should be the OS, not a device to market other products. I think if Microsoft stayed with this philosophy they would have a far superior product, now it is just a mediocre marketing platform.

Carl Merrick
Network Administrator
Town of Enfield

MTC-00012572

From: Lee Robie
To: Microsoft ATR
Date: 1/16/02 9:39am
Subject: Microsoft Settlement
enclosed opinion on Microsoft Case.
CC: fin@mobilizationoffice.com@inetgw
6084 Hallies Hollow Lane
Loveland, OH 45140-8616
January 16, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania
Avenue, NW.,
Washington, DC 20530-0001
Dear Mr. Ashcroft:

I am writing to express support for the settlement reached between Microsoft and the Justice Department in their ongoing antitrust case. I feel the settlement is fair, and no further action should be taken against Microsoft.

I work in the software industry as a developer, and I have seen firsthand the innovation Microsoft has provided the marketplace. It should not be punished as the settlement does by forcing Microsoft to disclose its technological secrets to competitors. Ending the case as soon as possible will allow Microsoft to return to developing new products and technologies that will ultimately benefit many consumers.

I strongly urge you to stop all further inquiry into the case, and support the settlement. It is time to put this matter behind us.

Sincerely,
Lee Robie

MTC-00012573

From: Augenstein, Rob
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/16/02 10:00am
Subject: Microsoft Settlement

I have been following the anti-trust case against Microsoft for almost four years now and believe that Microsoft did nothing wrong. The bottom line is that consumers were not harmed. As a user of Microsoft products, and previously of Netscape Navigator, I actually benefited. When I was using Navigator, Netscape improved and expanded the product due to the competitive pressure from Microsoft. To make a switch in Internet browser compelling, Microsoft had to make their own improvements. Now that I've switched to Microsoft, I wouldn't go back

to Netscape. What no one involved in this case seems to see is that people like me benefited because we had choices and the products available to us were improving at a rapid pace.

It is not necessarily a bad thing if a company has monopoly power and then tries to use it. It is most certainly a good thing in fact if a broad base of consumers will benefit. Unfortunately, Judge Jackson did not see that people like me benefited from Microsoft's actions. In fact, I have actually been harmed since the ruling by Judge Jackson. With Microsoft on the defensive, the pace at which significant new products have come to market has been slow. I think the browser was the latest new product genre—and that was 5 years ago. So I haven't had as much new software to play with as I did before. More importantly, the ruling initiated a long slide in the stock market that still continues. Since my investments in the stock market have declined in value, I have not made further investments in things for my family like a new car, house or computer. And since I believe that I am not the only one who has had this happen, I attribute our country's economic slowdown to the ruling by Judge Jackson against Microsoft.

I am interested in seeing the economy get back off the ground and firmly believe that letting Microsoft pursue its free enterprise strategy of innovating with new products is in our country's economic interests, both domestically and internationally. I am hoping you will see things similarly and will move aggressively to stop the legal challenges aimed at Microsoft.

Sincerely,
Rob Augenstein, CPA
Lighthouse Group
<<http://www.lighthousegroup.com/>>
800-385-2511
770-512-8990, extension 1015
770-512-8991 fax

MTC-00012574

From: Ed Delaney
To: 'Microsoft.atr(a)usdoj.gov'
Date: 1/16/02 10:06am
Subject: Paper submissions

Does the Dept. need help scanning all the comment letters for the Microsoft case? We are a federal government GSA small business contractor in Rockville and we can scan and index these documents for you.

Edward Delaney
Vice President
Ideal Systems
301-468-0123

MTC-00012575

From: Clark Kilhefner
To: Microsoft ATR
Date: 1/16/02 10:06am
Subject: Microsoft Settlement
Comments—Microsoft Proposed Settlement

It's time to move on! From the outset this has been an exercise in establishing the rules after the game has been played—or at the very least after the game has been in progress for some time.

Does the proposed settlement benefit consumers? Since the injured parties, judging from who is making the most noise, are

Microsoft's competitors there's no way to know. Consumers have never had a voice in the process. I've neither read nor heard any facts supporting the contention that consumers (you and I) have been injured. Are the high tech competitors bringing the complaint satisfied? Is that important? Apparently the settlement is a fairly good one in that almost every faction is unhappy with it. Microsoft is willing to live with the proposed settlement, the United States (at least most of the Washington DC types involved) has accepted it, consumers have never said they weren't satisfied, and Microsoft's competitors will likely never be satisfied until MSFT is delisted. In short, there's everyone is equally displeased and there's no place to go from this point but down.

You've done your jobs. Let's move on!
Clark H. Kilhefner
P.O. Box 888
Tualatin, OR 97062

MTC-00012576

From: GLASSMAN426@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 10:06am
Subject: Microsoft Settlement

You prosecute Microsoft, but you let banks merge, oil companies merge, corporate takeovers, make us dependent on foreign oil. Microsoft gave the consumer something that if it did not satisfy them they could replace with another product, and it was included in the purchase price. We are at the mercy of the big banks, big oil, and corporations that you have given the OK to move most of our manufacturing jobs out of the country. Whose side are you on? Is it the governments porpoise to bring our standard of living to that of a third world country?

If someone builds a better product the public will buy it. It's not like Microsoft made a product that could not be replaced if it was unsatisfactory.

Mike Piche
Elgin, IL

MTC-00012577

From: Helen Guiltinan
To: Microsoft ATR
Date: 1/16/02 10:11am
Subject: Settlement

Settle Now, this sounds like History and Howard Hughes. This settlement needs to be resolved. NOW ! Our economy is already in the toilet and the government has its hand on the handle.

Let's move on with the governments handling or mishandling of the ENRON crisis. Get a grip on priorities.

Helen Guiltinan

MTC-00012578

From: Jack Otto
To: Microsoft ATR
Date: 1/16/02 10:10am
Subject: Gentlemen:

Gentlemen:
It is my desire that you pursue no more activity against MicroSoft. thanks.

John F. Otto

MTC-00012579

From: billklueber@att.net@inetgw
To: Microsoft ATR

Date: 1/16/02 10:11am

Subject: MicroSoft Settlement

I just want to vent about what is happening with the MicroSoft Settlement. MicroSoft started from nothing and is solely responsible for the PC revolution and a good deal of the other technological advancements we know and enjoy today. It is unfair for this country to penalize success. I think it is great that finally a U.S. company is a world leader and is able to compete with other corporations around the world especially when so many of them are subsidized by their governments. Please stop playing politics and look at all the good that the company does. Bill Gates donates a lot to charities, pays more than his share in personnel and corporate taxes and provides a lot of jobs. I was disgusted and embarrassed to be an American under Clinton but have regained my pride and patriotism under President Bush. Please do the correct and honorable thing and put this endless litigation to rest. The only people that win are the lawyers.

Thank you,
Bill Klueber

MTC-00012581

From: Joel and Lynne Thomas

To: Microsoft ATR

Date: 1/16/02 10:12am

Subject: Microsoft Settlement

I have been using computers ever since my first Commodore 64. I have used every generation of PC and just about every type of commercial software available. I fully believe the standardization that Microsoft has brought to PC use has benefited consumers more than any of us can imagine. I also believe their software is competitively priced and has always been a good value. Otherwise I wouldn't buy it, and I certainly wouldn't upgrade. Having said that, I am outraged that our government continues to use taxpayer dollars to prosecute a healthy, innovative, American company; not to benefit consumers, but to benefit Microsoft's competitors. To say that a \$100 price tag for an XP upgrade is 'to much' and is 'monopoly driven' seems to me outrageous when I have to shell out \$60 for Palm OS applications that does relatively nothing.

The current proposed settlement is fair to consumers and is fair to Microsoft. It allows Microsoft the ability to continue making better products but does not allow them to strong-arm OEM's. Any State not buying into it is simply trying to use the courts to gain a competitive advantage for their Companies. If Microsoft's competitors were to put as much effort into developing better products as they do lobbying maybe they could compete.

Stop wasting my tax dollars. Settle now.
Joel and Lynne Thomas
Easton, WA 98925

MTC-00012582

From: Rebard@aol.com@inetgw

To: Microsoft ATR

Date: 1/16/02 10:12am

Subject: Microsoft Settlement

I think it is insane to not allow Microsoft to donate software and possibly computers to the schools. Wherever students go, Microsoft

is the leader in business and they need to learn it. You are depriving them of this fantastic opportunity. If you objective is to benefit consumers then this is an option. Apple Computers are a personal choice for households but business uses Microsoft. There is no benefit to students to be taught on Apples and then to into the marketplace and not have the knowledge of Microsoft.

Please reconsider this case on these merits.

Thank you.

Barbara V. Rebard, Redding Calif.

MTC-00012584

From: gbradshaw@

mail.newnanutilities.org@inetgw

To: Microsoft ATR

Date: 1/16/02 10:15am

Subject: Microsoft Settlement Support

I am writing to strongly support settlement of the Microsoft case as soon as possible and avoidance of further litigation. My reasons are that it is hurting the economic recovery of this Nation and is contributing to lower tech stock prices and lower value of Microsoft's stock.

George Bradshaw
Newnan, Georgia

MTC-00012585

From: GLENN R FARRAR

To: Microsoft ATR

Date: 1/16/02 10:14am

Subject: Microsoft settlement

Dear Sir:

I have followed this case since it's inception and think it is high time that this matter be resolved. I think the settlement proposed is fair and just and should be accepted as such.

I am a retired Navy Pilot who has been involved in the scientific field for close to 50 years.

Sincerely,
Glenn R. Farrar

MTC-00012586

From: Ron Brown

To: 'Microsoft.atr(a)usdoj.gov'

Date: 1/16/02 10:20am

Subject: Comments from Citizens

I think the government (DoJ) is doing an injustice to the country with this continued suit against Microsoft. It could have been done differently without the negative impact on our economy and the mind set of the citizenry. All this started in Clinton's anti-business administration and now there is so much egg on politicians faces that they cannot let it go. And of course there is so much politics interwoven in this that it is hard to tell fact from fiction and when politics are involved, politicians don't really care so much about fact. That is why politicians are respected by the citizenry either just above or just below used car salesmen, I forget. (It used to be an honorable profession.)

For example, Microsoft proposal for free computers to schools was rejected. That is OK but the reason was crap. When I worked in the school district, we received many, many computers from Apple that were free. Now they yell foul because they don't want MS muscling in on getting the kids used to PCs when they have invested years in getting them Apple oriented. When older, these kids

will buy Apple computers because of their greater familiarity. Yup, double standard.

This case did not cause the market to go into the tank several years ago but I feel it certainly helped with the mindset of the consumer and investor against the market as a whole. You can thank yourself for that. Could have been handled much differently but politicians have egos and constituents with lots of campaign money in the campaign fund, so we all must wade through this crap for the egos of a few. I am sick of it. As a consumer of computer products and software, I don't feel infringed nor hurt by Microsoft software but I do feel infringed by the government's handling of this case.

So get a life and dump this case. Get the positive mindset of the consumer and investor back on track and let's get this economy moving again. You guys, and state governments, need the tax money a prospering economy generates. And this crap has lost you billions; billions. Was it really worth it? Just for the political egos involved? Hell no, not from my perspective nor the from that of the citizenry.

Ron Brown
6929 Lake Washington Blvd SE.,
Newcastle, WA 98056
(Does not reflect the attitude of my employer.)

MTC-00012587

From: Gregg, Randall

To: 'Microsoft.atr(a)usdoj.gov'

Date: 1/16/02 10:30am

Subject: Microsoft Settlement

I strongly support the currently proposed Microsoft Settlement. Its time to put Microsoft back to work on the next generation of products.

MTC-00012588

From: Anthony Shipman

To: Microsoft ATR

Date: 1/16/02 10:24am

Subject: Microsoft Settlement

[I sent this before but did not have the correct subject line.]

A penalty is not a penalty unless it stings. The current proposed "penalty" does not sting Microsoft. The simple fact that they are saying positive things about it, calling it "fair", shows that.

A real penalty that would be of great benefit to the computer-using public would be to require that control over the Microsoft Office file formats be transferred to a public standards body such as the American National Standards Institute (ANSI). This would include, at least, the formats for Microsoft Word documents, Excel spreadsheets and Powerpoint presentations.

This would make it possible for a variety of software companies to develop office software that interoperated with Microsoft products. The goal is that an ANSI-conforming document produced by vendor X software would be guaranteed to be readable by vendor Y's software. Since it is a common practice to e-mail documents, spread-sheets etc. from person to person and business to business one would expect that the formats should be standardised and that the standardisation process be impartial.

As well as revitalising the software industry this remedy would also go a long

way to solving the problem of archived documents. It is well recognised by historians and librarians that much of the documentary material in an electronic format produced by today's society is ephemeral and will not be available to historians of the future. This is not only because physical formats such as magnetic tape become obsolete but also because the file formats become obsolete. Even now, if you have a Word document from 10 years ago you will have great difficulty in reading it as current versions of Word do not recognise formats that old.

You will have to hunt around for a software product that can convert it to a newer format. This problem will continue to get worse in the future. In short, since office file formats have become an integral part of the information infrastructure that the public depends on in this day and age it is important that they be under impartial, public control rather than be subject to the whim of Microsoft's marketing department.

I believe that this would be the biggest step that could be taken to level the playing field for business software.

Anthony Shipman
Elektrichore—The muse of
als@labyrinth.net.au high technology.

MTC-00012589

From: Robert Ausborn
To: microsoft.atr(a)usdoj.gov
Date: 1/16/02 10:35am
Subject: [Fwd: Microsoft Settlement]
Please let Microsoft settle whatever and move on with their business, and be left alone.
Thank You,
Nellie Ausborn

MTC-00012590

From: Davidson, Tom
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/16/02 10:39am
Subject: Microsoft Settlement
I know you guys are trying to figure out what's best for everyone in this case, and I think a clear solution—given that Microsoft is an unrepentant repeat offender and an obvious monopolist—would be to simply require that Microsoft document and standardize all its APIs. It would be allowed to create new ones, of course, provided it also documented and standardized all of THOSE.
This doesn't remedy the problem of bundling, of course, but does make it easier for competitors to at least challenge Microsoft on a more level playing field without having to force consumers into abandoning their existing infrastructure.

Tom

MTC-00012591

From: BillK414@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 10:40am
Subject: Microsoft Settlement
Legislators,

You will never arrive at a common decision acceptable to all parties. The American people supported the last settlement, but it was recently rejected by U.S. District Judge Motz. Microsoft would have given disadvantaged public schools more than \$1 billion in funding, software,

services and training, and approximately 1 million Windows licenses for renovated PC's. Enact this settlement as supported by the majority of the American people. You will find no better way than to assist disadvantaged youth in uplifting and enhancing their education!!!

Government and the justice system have had more than their fair share of time and opportunity to arrive at a settlement. The American taxpayers are done footing the bill for this ongoing affair. It's truly unfortunate that our country can unite when it's attacked, but we can't work out an internal conflict. We just drag it out a few more years until the related technology we're trying to incriminate is itself already obsolete. Give our economy and our people some respect, enact the previous settlement.

William F. Koranda

MTC-00012592

From: dtwarnick@mmm.com@inetgw
To: Microsoft ATR
Date: 1/16/02 10:42am
Subject: Microsoft Settlement

Briefly, I feel Microsoft is getting off far too easy for its blatantly anti-competitive behavior. Specifically, I am concerned that, by allowing Microsoft to continue as one company, it will continue to shut out competing products and services. Although I appreciate that punishing OEMs for choosing non-Microsoft products is now "prohibited behavior", it is too late for many companies to recover from being squeezed out of the market. I can see how this behavior will continue as it costs Microsoft next to nothing to replicate a software product once it has been created. As such, Microsoft (because of its monopolistic size) can afford to give away any new product it desires by bundling it with the operating system. This will effectively prevent any smaller competitors from entering that product space. Once the Microsoft product is in wide use by the consumers, Microsoft can begin charging money for it, or for an upgraded version of it, and most consumers will pay because they are loathe to switch from a tool to which they have grown accustomed.

The only effective remedy I can see is to force a separation of the Microsoft operating system business from the products and services businesses. While this may not help products or companies that have already been pushed out of the market, it, along with the defined prohibited behavior, will help level the playing field for emerging companies, products, and technologies.

Derek Warnick
5599 Whitewood Dr.
Taylorsville, UT. 84118
(dtwarnick@mmm.com)

MTC-00012593

From: john cuth
To: Microsoft ATR
Date: 1/16/02 10:43am
Subject: Microsoft Settlement

Dear Sirs:

Please proceed with the Microsoft settlement as proposed. Americans, especially our technology companies, need to move forward in these troubled times.

Thank you,

John Cuth

MTC-00012594

From: Murray, Joe—Pol Affairs Dir
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/16/02 10:46am
Subject: FW: Microsoft Settlement
—Original Message—
From: Murray, Joe—Pol Affairs Dir
Sent: Wednesday, January 16, 2002 9:39 AM

To: 'microsoft.atr@usdoc.gov'
Subject: Microsoft Settlement
To: Renata Hesse
From: Joe Murray
2753 Milwaukee St.
Madison, WI 53704
Atty. Hesse:

I wanted to take this opportunity to encourage you to support the Microsoft settlement. I was told you are the person to talk to, so allow me to make a couple points regarding this issue.

First, this case has gone on long enough. Just like the other legal wars that play out in DC, this one has overstayed its welcome. Once you can get to the point where some form of agreement has been reached, the DOJ should accept the terms and move on. Second, taxpayers should not have to fund legal wars that spend money on issues like this when there are plenty of other things the Feds can spend money on that really matter to people like myself (the war on terrorism comes to mind). Third, in my opinion, Microsoft is king because they have the best product. That's as it should be. Accept the settlement and allow them to innovate and produce a product that serves the market place. We do not need Washington to act as the legal firm for Microsoft competitors who are unhappy with their place in the market. Let them build a better mouse and they will be king.

Thanks for your time.

MTC-00012595

From: LOUIS BROMLEY
To: Microsoft ATR
Date: 1/16/02 10:47am
Subject: Microsoft Settlement.

I urge you to support the proposed settlement with Microsoft and get on with the country's business.

I believe there are too many politically inspired and punitive interests in several states and in the technology industry resisting this settlement at our expense as citizens and consumers.

Your support will be much appreciated.
Louis Bromley
Longview, Texas

MTC-00012596

From: Richhaywor@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 10:48am
Subject: Microsoft Settlement

I just want to say that I think Microsoft has been hounded more than enough. If other companies worked as hard to keep the economy going as they do to unjustly take advantage of Microsoft we all would be in better shape. It seems to me that those other high-tech companies who are competitors of Microsoft want to keep kicking Microsoft in the hopes that they will gain what they

couldn't gain through their normal business practices. I believe the proposed settlement is more than fair.

Richard Hayworth
7955 27th St. E.
Sarasota, FL 34243

MTC-00012597

From: J MALLOY
To: Microsoft ATR
Date: 1/16/02 10:49am
Subject: Microsoft Settlement

In 1990 I bought my first computer. It had a profound effect on my ability to express myself. There were three basic choices. Apple, IBM or IBM compatible. A friend advised me to build my own IBM compatible and save several thousand dollars.

His assessment was that Apple is the easiest to use, but any modification to Apple is much more expensive. Because I had no idea how a computer works, I decided to buy an IBM to insure quality. Looking back, I can see the wisdom in buying an IBM compatible. Over the years I have purchased a lot of software for computers. All Microsoft software proved to be a good purchase. If they are overpriced, the marketplace will adjust their position.

It is understandable that Mario Monti would like to have American ingenuity at a reduced price. I don't understand why anyone in the US would like to kill the goose that laid the golden egg. The bottom line is that Microsoft puts out a product that allows individuals to increase their productivity far beyond the cost of the software. Why does the US government want to add on all of the legal fees to the cost of the software.

Please tell the attorneys to go get a productive job.

MTC-00012598

From: David R. Freeman
To: Microsoft ATR
Date: 1/16/02 10:53am
Subject: Microsoft's at it again! "Destroy!
Take no prisoners

Greetings:

Please look at the Lindows Press Release that follows.

David R. Freeman
To: dave@rvers.net

Errors-To:
mailmgr+3653+1011068361+dave+rvers.net@primezone.net

From: "Cheryl Schwarzman"
<cheryl@lindows.com>

MIME-Version: 1.0

Content-Type: multipart/alternative;
boundary="PZ—

5CUipAEgpgYYpcGgB2V1b2Q5A"

X-PrimeZone-Jobnum: 1011068361

Subject: LINDOWS.COM FILES MOTION
TO DISMISS PENDING TRADEMARK
LAWSUIT FILED BY MICROSOFT
CORPORATION

Message-Id:

<20020115141608.4D1A71BE2A @mercury.
primezone.com>

Date: Tue, 15 Jan 2002 06:16:08 -0800
(PST)

For Immediate Release
John Bromhead
VP of Marketing,
Lindows.com, Inc.

4350 La Jolla Village Drive, Suite 450
San Diego, CA 92122
pr@lindows.com
858-642-2501 Direct
858-410-5999 Fax

**LINDOWS.COM FILES MOTION TO
DISMISS PENDING TRADEMARK LAWSUIT
FILED BY MICROSOFT CORPORATION**

SAN DIEGO—January 15th, 2002—

Lindows.com announced today that it filed a motion to dismiss the pending trademark lawsuit filed by Microsoft Corporation (Nasdaq "MSFT") against Lindows.com. In the lawsuit Microsoft seeks to prevent Lindows.com from using the term "LindowsOS" and "Lindows.com." Because Lindows.com has no presence and conducts no business in the state of Washington, Lindows.com has filed a motion to dismiss the claim citing a lack of personal jurisdiction over the San Diego, CA based company. Both Lindows.com's motion to dismiss and Microsoft's motion for preliminary injunctions are tentatively scheduled for hearing on February 1, 2002.

"We're looking forward to showing the Court the widespread use of the term 'windows' or variations thereof by literally hundreds of companies which are not endorsed or sponsored by Microsoft. The fact that Microsoft has chosen not to sue these companies demonstrates their true motivation in this case is to crush competition from a promising new technology which threatens their illegally obtained monopoly," said Lindows.com CEO, Michael Robertson. As part of the legal process, Microsoft Corporation demanded that Lindows.com turn over its entire database of names, email addresses and physical addresses for parties interested in the yet-to-be-sold operating system which will run both popular Microsoft Windows software and Linux software.

"We're not happy that a company known for illegal business practices took the unnecessary step of gaining access to our database. In spite of their assurances it will not be used for any purpose outside this case, we've alerted our users of Microsoft's actions and believe this is another way Microsoft is attempting to intimidate a potential competitor," commented Robertson. In spite of the delays encountered while producing nearly 15,000 pages of documents demanded by Microsoft, development of LindowsOS is continuing. Screenshots of the product are available at <http://www.lindows.com/screenshots>http://www.lindows.com/<http://www.lindows.com/scre enshots> screenshots.

A Sneak Preview is expected shortly. The Sneak Preview will not be a fully completed product but will showcase many of the unique features such as a friendly install alongside an existing Microsoft Windows operating system, a streamlined installation process which requires no computer knowledge and the ability to run popular Windows-based programs. This will be followed by version 1.0 which will go on sale in early 2002 for \$99.

To receive Lindows.com press releases via email signup at <http://www.lindows.com/ mailing>www.lindows.com/ mailing>www.lindows.com/ mailing>.com/maili ng

About Lindows.com, Inc.

Lindows.com is a consumer company that brings choice to computer users.

Lindows.com, Inc. uses the latest technology to create affordable, intuitive, user-friendly products. Lindows.com, Inc. was started by Michael Robertson, founder and former CEO of MP3.com. At the core of Lindows.com is a new operating system called LindowsOS?, a modern, affordable, easy-to-use operating system with the ability to run both Microsoft Windows(R) and Linux(R) software.

About Michael Robertson

On the frontlines of music aggregation and distribution, Robertson founded MP3.com, Inc., the Internet's premier Music Service Provider (MSP) in March 1998. MP3.com revolutionized both the way new artists distribute their music as well as the way music lovers acquire and enjoy music. Robertson and the rest of the MP3.com team built a unique and robust technology infrastructure that facilitated the storage, management, promotion and delivery of digital music. MP3.com hosts the largest collection of digital music available on the Internet with more than 1 million songs and audio files posted from over a hundred thousand digital artists and record labels with millions of music fans. Robertson stepped down as CEO of MP3.com to start Lindows.com. Robertson continues to serve in an advisory capacity to Vivendi Universal. MP3.com, Inc. is a wholly owned subsidiary of Vivendi Universal, S.A.

CC:blockkyer@caag.state.ca.us@inetgw

MTC-00012599

From: Richard Townsend
To: Microsoft ATR
Date: 1/16/02 10:55am
Subject: Microsoft Settlement
Dear Sirs:

I would like to comment on the settlement regarding Microsoft and the state attorneys general. My interest in this case is strictly as a consumer of software products.

I feel very strongly that it is in the best interest of the consumer for the antitrust litigation to be concluded promptly without being allowed to continue as the attorneys general are advocating. That would just raise costs of software without any real benefit to the consumer. There is no question that Microsoft has stepped over the line, but they will be penalized for that. The motives of the attorneys general appear simply to be to enhance their political visibility, to aid Microsoft's competitors, and to enrich trial lawyers. Anyone who has purchased the latest versions of Microsoft's products has seen a dramatic rise in the prices. It doesn't take a genius to figure out that much of the money is going into litigation costs. It seems like there is some truth in the famous comment by one lawyer to another that "It's not whether you win or lose, it's how long you can keep the meter ticking."

Richard L. Townsend
Nashua, NH

MTC-00012600

From: HYan496de@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 10:55am

Subject: Microsost settlement
Its time to settle the case and move on.
HY

MTC-00012601

From: Steve(u)Lieberman
To: Microsoft ATR

Date: 1/16/02 10:55am

Subject: Microsoft settlement

I whole-heartedly approve of the Microsoft settlement. Please do not continue litigation. The proposed settlement is in the best interests of consumers like me and the software industry in general.

Steve Lieberman

MTC-00012602

From: Bob Heath

To: Microsoft ATR

Date: 1/16/02 10:57am

Subject: Microsoft Settlement

To: The Honorable Judge Kollar-Kotally

Subject: Some History Worth Reading

The court proceedings against Microsoft should continue.

I worked over 30 years for IBM, much of which was with their Software business. We felt much of the effects of the Government's IBM Antitrust Suit. Everyone thinks the Justice Department lost the IBM Suit, but their oversight caused an entire new industry to be created.

Did you know that Microsoft, Compaq, Dell, Internet (as we know it today) and the Software Industry would never exist if it had not been for the antitrust laws, the IBM anti-trust case and the government's oversight. Microsoft should have the same oversight.

Before 1970 IBM gave all Software away free when you purchased IBM's Hardware. The Antitrust Suit caused IBM to unbundle software from the hardware and to show a normal (30%) profit in their business case for each individual software product announced (no ?loss leaders? were allowed). This started the independent software business.

As part of this procedure, IBM also did not acquire any other company's software on an exclusive basis. When IBM developed the Personal Computer in 1979, the PC Division could not buy Microsoft's Operating System exclusively.

The IBM PC became a huge success, and within 3 years IBM had the dominate share of this market. But because IBM did not have an exclusive agreement from Microsoft, Compaq in 1982 (and later many other clone companies) was able to get the Operating System from Microsoft and clone the IBM system.

From this base:

- Compaq became the leader in the PC business,
- None of IBM's competitors wanted to use IBM's proprietary networking software (SNA) and Internet took its place,
- The price of PCs dropped significantly, and
- An entirely new software and hardware business was created.

It would not have happened without IBM's Antitrust Case.

Like IBM, Microsoft has grown to be a monopoly in the PC Operating System business. They should also be constrained like IBM was:

- Each product should be unbundled to the lowest level of competition.

- All products should be announced showing a normal profit business case.
- Software products should not be purchased from others on an exclusive basis.
- All proprietary software interfaces should be opened up.

This type of settlement would also create a new competitive environment and many new and creative companies. Not unbundling Microsoft will allow them to continue to release non profitable software and to bundle products into the operating system that could not otherwise survive in the market. This is competitively unfair and prevents many new and innovative ideas from reaching the market.

Robert B. Heath

MTC-00012603

From: Milton Mechlowitz

To: Microsoft ATR

Date: 1/16/02 10:59am

Subject: Microsft

Its about time the case of Microsoft is setlled and to allow the company conduct its bussiness. Ithink Microsoft did what any good businee would have done.

Milton Mechlowitz

MTC-00012604

From: Fcowling@aol.com@inetgw

To: Microsoft ATR

Date: 1/16/02 11:04am

Subject: Microsoft Settlement

TO Judge Colleen Kollar-Kotelly

FROM Susan Cowling

30 Brough Lane, #107

Hampton, VA 23669

It is my understanding that you will soon prepare a final opinion on the Proposed Final Judgment completed by the Department of Justice regarding the Microsoft case.

I am a Microsoft shareholder. As such, it would probably be to my best personal financial advantage to support the arguments presented by Microsoft and the recommendations of the Justice Department in the Proposed Final Judgment.

However, it seems to me that the well-being of our economy and, specifically, the technology sector in this country, is best served by open and fair practices. The unanimous decision by the US Court of Appeals that Microsoft had violated antitrust laws suggests to me that Microsoft has acted in the best interest of Microsoft to the denial of the best interests of our nation and the long term interest of its industry.

Admittedly, I am not privy to all the arguments, facts, and conditions on which any of the court decisions have been based. I do conclude that Microsoft has in the past broken antitrust laws. I feel Microsoft should be penalized strongly for these actions. To do otherwise is to undermine the antitrust laws, to encourage illegal behavior and to condone anticompetitive behavior.

Thank you for your consideration of my opposition to the Proposed Final Judgment as prepared by the Justice Department.

MTC-00012605

From: Douglas Tasker

To: Microsoft ATR

Date: 1/16/02 11:06am

Subject: Microsoft Settlement

Dear Sirs

I urge all parties in this case to adopt a speedy settlement. The proposed remedies seem reasonable and fair. It would appear that certain States, and certain corporations, are trying to prolong the process for their own self-interests rather than for the good of the US economy.

Microsoft has clearly abused its near-monopolist power to do harm to its competitors, and SHOULD be punished. However, the proposed remedies do just that: they prevent Microsoft from repeating its misdeeds; and will punish it for its sins. Please encourage all parties to complete the settlement now. Any delay not only hurts Microsoft, it hurts the US economy as a whole.

Yours Very Sincerely

Douglas G. Tasker

Douglas G. Tasker

3039 Pueblo Puye, Santa Fe, NM 87507-

2538

home: doug-tasker@yahoo.com, (505)474-

0258

[work: tasker@lanl.gov,(505)665-2859]

MTC-00012606

From: Manni Wood

To: Microsoft ATR

Date: 1/16/02 11:06am

Subject: Microsoft Settlement

Scott Rosenberg's article for Salon.com, <http://www.salon.com/tech/col/rose/2002/01/16/competition/index1.html> suggests a good solution.

I still think it would be difficult or impossible to police whether or not Microsoft was adequately and honestly documenting its APIs, and especially its office file formats (including Exchange!), but it *would* give competition such as Star Office and GNU OpenOffice and Ximian's Evolution a level playing field.

—Manni Wood

Manni Wood

170 Highland Ave., #4, Somerville, MA, 02143

617 628 8899 . manniwood@yahoo.com "

A journey of a thousand miles must begin with a single step."

Lao-zi

MTC-00012607

From: Tom Owen

To: Microsoft ATR

Date: 1/16/02 11:40am

Subject: For Renata Hesse: MS settlement proposal comment

I write to comment on the proposed Microsoft settlement. I am professionally concerned with computer operations. Microsoft software is of great importance to me because of that company's global dominance.

I am not a US citizen and my business does not operate in the US, nonetheless the terms of any settlement will have a profound effect on the way I work and the solutions I can offer my customers.

In summary:

- MS is known to use a dominant position to illegally suppress competition
- The settlement attempts to open competition by requiring MS to make technical interface information available to those who wish to create systems to run alongside MS systems

- The settlement allows MS to restrict access to this information to commercial organisations
- The currently available alternatives to MS systems (e.g. to MS file and print service, email service, web service, web browsers, operating systems and others) are not in any sense commercial organisations.
- MS will likely, given its record, use this exemption to deny interface information to these systems, its major competitors
- Interface information kept secret allows competitor products to be disabled
- The effect of the settlement will be to remove competitive pressures from MS and therefore cause harm to the consumer. It's only really necessary to expand on the summary to say that the settlement has been written without an understanding of the current choices available to a software professional. It is striking how often the major competitors are produced by non-commercial organisations.

These systems are created and developed largely by unpaid co-operatives of companies and individuals. This co-operation is made possible by licence agreements (open-source licences, most famously the Gnu Public Licence—GPL) which prevent any person from benefitting from the intellectual property in the text of the system's software. Though for-profit organisations may provide staff, resources and source code for such a system, the system itself and its support group (e.g. Samba, Mozilla, Open Office among others) is not a commercial organisation.

While such "free" software is supplied for no more than the cost of the media, it is not free in P&L terms. Just as with any software the effort of installing and setting up is substantial and for any organisation with salaries or limits on staff time this is a cost. MS software is popular because MS take care to minimise setup effort, regardless of create the consequences. By contrast "free" software setup can be daunting. I judge that the major "free" systems have costs in the same order as MS products, though there is often a substantial benefit in increased reliability and reduced licence administration. There is is competition on features as well as cost.

Major examples where the major competitor to MS is developed by non-commercial groups include:

- Microsoft File and Print: Samba
- Microsoft NT: Linux + other applications e.g. Bind, ISC DHCP etc.
- Microsoft Exchange: Sendmail + Many mail clients
- Microsoft IIS: Apache

All of these systems work in environments in which MS components also work and because of MS desktop dominance this is a large part of their utility. Apache would not be the most widely used web server if MS Internet Explorer could not access its sites. But this is only possible because the relevant interface standard (http/html in this case) is publically available. The same is true of all the systems and it is noticeable how Microsofts close hold of their inadequately documented MAPI mail server interface has inhibited development of alternative desktop clients for MS Exchange.

The proposed settlement would allow MS to deny necessary interface information to these major competitors. Over time this will destroy these systems and remove choice and the restraint which available and credible, competition imposes on MS prices.

Regards
Tom Owen
Director

MTC-00012608

From: bleak
To: Microsoft ATR
Date: 1/16/02 11:10am
Subject: microsoft settlement

Get the gvt. off MSFT back. This is my retirement fund, the stock I bought over the years. I am not getting anything from the gvt. Get this thing settled so MSFT can go back to business as normal and help retired people like myself once again prosper. This is a joke that the gvt. is looking out for my interest in persecuting a great company like MSFT that built a better mousetrap. The competition is fierce out there.

R Bleakley

MTC-00012609

From: Barback's
To: Microsoft ATR
Date: 1/16/02 11:10am
Subject: Microsoft
3408 Lake Lynn Drive
Gretna, LA 70056-8329
January 14, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Ashcroft:
ENOUGH ALREADY !!!! GEEZE
MANIEZZE !!! GET THIS OVER WITH !!!
And this from a ?Registered Democrat? since I was 18 yrs old and I am 46 now!(Regan Democrat) Your wise leadership is vital to the safety and prosperity of our American nation. I hope my thoughts will be of benefit to you.

I am writing to express my relief that this judicial debacle referred to as U.S. v. Microsoft is finally coming to an end. While I strongly believe that the original lawsuit was OBVIOUSLY politically motivated, unfair and vengeful, this settlement is the best possible outcome and truly services the American public interest. REMEMBER THIS IS WHAT STARTED OUR FINANCIAL MARKETS DOWNTURN , Please save our free enterprise society. The provisions of the settlement work to ensure accountability, foster innovation and improve competition inside the information technology industry. The highlight of this settlement is Microsoft's willingness to submit to a three person, government appointed technical oversight committee which will ensure the company's compliance with the agreement. This settlement is three years too late and should be implemented immediately. I strongly urge that this agreement be the final federal action taken regarding this matter and that the participating states move on as well. Thank you.

With greatest regard,
signed. .
David Barback

CC:fin@MobilizationOffice.com@inetgw

MTC-00012610

From: ROBERT SHIRLEY
To: Microsoft ATR
Date: 1/16/02 11:11am
Subject: MICROSOFT SETTLEMENT
THIS IS IN SUPPORT OF YOUR SETTLEMENT. I WOULD LIKE TO SAY . THAT IF IT WEREN'T FOR YOUR COMPANY WE WOULD STILL BE IN THE MIDDLE AGES ,AS FOR AS THE COMPUTER INDUSTRY IS CONCERNED. YOU HAVE DONE ALL THE WORK AND NOW PEOPLE OUT THERE ARE WANTING YOUR REWARDS. WHERE WERE THEY, WHEN ALL OF YOU WERE SPENDING MANY HOURS CREATING PROGRAMS TO RUN A COMPUTER. LET THE CRY BABIES CRY. LET THE COURTS BE IN FAVOR TO YOUR COMPANY.

ROBERT E SHIRLEY
1564 APACHE CIRCLE
TAVARES, FL 32778

MTC-00012611

From: gbryant
To: Microsoft ATR
Date: 1/16/02 11:12am
Subject: Microsoft Settlement
George E. Bryant
5600 School House Court
West Chester, OH 45069
January 16, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue
Washington, DC 20530
Dear Mr. Ashcroft,

I write you to ask your help in supporting the recent Microsoft settlement. After three years of negotiations, this settlement has a great deal to offer. The terms of this settlement were negotiated under a painstakingly detailed process and under careful supervision. The settlement addressed many issues concerning antitrust and yielded many productive solutions. In this agreement, Microsoft has agreed to make changes in licensing and marketing terms, as well as to design future versions of Windows with easier access for non-Microsoft software. This is a step toward a more unified technology industry and thereby a step toward a more concrete economy. Supporting the enforcement of this agreement is ultimately beneficial to the consumer, the IT sector and the economy as a whole. The delay of this agreement will only cause the technology industry to fall behind and continue to focus on litigation.

Please help support this settlement by helping to stop any further actions against this agreement. As an Ohio citizen, I have more at stake than many other citizens of this country, since my state is party to the settlement. I thank you for your time and for your continuing support.

Sincerely,
George E. Bryant
cc: U.S. Senator Mike Dewine (Ohio)
U.S. Senator George Voinovich (Ohio)
U.S. Representative John Boehner (Ohio)
Microsoft Co.

CC:fin@mobilizationoffice.com
@inetgw,Voinovich Senato. . .

MTC-00012612

From: spitzcor@cray.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 11:13am
 Subject: Microsoft Settlement

Scott Rosenberg of Salon magazine has stated a fine opinion about the Microsoft settlement in his column dated 1/16/2002 on Salon.com (<http://www.salon.com/tech/col/rose/2002/01/16/competition/index.html>)

I very much agreed with his opinion and hope that the Justice department does take his recommendations under consideration. I believe that Microsoft has repeatedly broken the law and that they have hurt consumers. I think that forcing Microsoft to open its Windows API and the Office document format is a fair and just settlement. I do not think that breaking up the company will be as good for consumers.

Thank you for your interest in my opinion,
 Cory Spitz
 OS Software Engineer, Cray, Inc.

MTC-00012613

From: Jean Thompson
 To: Microsoft ATR
 Date: 1/16/02 11:14am
 Subject: Settlement of Litigation

As I have previously submitted my request, I again urge your Department to settle this case once and for all. Microsoft is a great asset to our economy, and is more than generous in their philanthropy around the world. It is an example of what business in the USA can do to promote jobs and new innovations.

Sincerely submitted:
 M. Jean Thompson
 2034 E. No Crescent
 Spokane, Wa 99207
 The greatest of these is LOVE!

MTC-00012614

From: Ken (038) Audrey Smith
 To: Microsoft ATR
 Date: 1/16/02 11:15am
 Subject: Microsoft Settlement

I think you should settle the Microsoft case. It was a needless expense for the tax payers and Microsoft.

MTC-00012615

From: Higgs Glenda
 To: Microsoft ATR
 Date: 1/16/02 11:17am
 Subject: settlement

This case should be settled. Enough is enough. . . .

MTC-00012616

From: Richard hicks
 To: Microsoft ATR
 Date: 1/16/02 11:20am
 Subject: Microsoft
 January 16 2002
 Attorney General John Ashcroft
 US Department of Justice
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Mr Ashcroft:

I am writing today to let you know my feelings about the Microsoft case. First of all I don't think this is an issue that the government should be involved in. However, now that the Government has intervened, I

think they should certainly take responsibility and allow this case to be settled. Microsoft has created a series of unparalleled products that other companies just did not have the resources to make themselves. Now their competitors will be able to compete more fairly as part of settlement. Microsoft is sharing more information about their software and server applications and there is even an oversight committee to make sure that Microsoft is doing all its promises.

I worked for Hewlett Packard for many years and can say first hand that no other company has changed the IT industry as Microsoft has. Their methods may not have always been fair, but this settlement addresses their problems and is the right step to moving the computer industry forward again.

Sincerely,
 Richard P Hicks
 PO Box 531 619 Water st.
 Charlestown MD 21914

MTC-00012617

From: MarcGi1@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 11:24am
 Subject: Microsoft settlement

I feel it is time to get this matter behind us and move on. The proposed settlement is fair for all. The country and the economy needs to move on.

MTC-00012618

From: Jotham—
 Stavelly@abtassoc.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 11:22am
 Subject: Microsoft Settlement

I approve of the scheme described in the article below (about opening up the APIs) and feel that it should be followed.

—Jotham Stavelly
 —Jotham Stavelly
 —Abt Associates Inc.
 —Hadley, MA
 Chips ahoy

AMD competes with Intel, and the public wins. The right Microsoft antitrust settlement can bring the same energy back to the software market.

By Scott Rosenberg

Jan. 16, 2002 ✓ The personal computer industry may be in its worst slump in history, but you wouldn't know it by following the news from the processor wars. Over the past two years, Intel and AMD have unleashed an incredible competitive cycle in Silicon Valley. In case you missed it, last week these two chip companies offered dueling releases of new flagship processors: Intel unveiled its fastest Pentium 4 yet, running at 2.2 gigahertz and built with a new .13 micron process that crams even more transistors into an even smaller space. AMD, extending the huge success and popularity of its Athlon line and the Athlon's most recent and powerful incarnation, Athlon XP, announced the XP 2000—a chip that actually runs at 1.67 gigahertz but, third-party tests show, nearly keeps up with the 2.2 ghz Pentium 4 in most tasks (and even surpasses it in some).

What's going on here is simple: Good old-fashioned competition drives engineers to

continue to work miracles. Intel, the market-dominating behemoth, has always pushed new, improved products out the door faster—and dropped prices more readily—when it feels the breath of a credible competitor on its neck. For many years the competition was feeble, but that changed when AMD's Duron and Athlon chips began giving Intel a run for its money—and, for a time in 2001, actually bested Intel for the fastest personal-computer chip title. Today, these two companies keep spurring each other on, and consumers win big. For most of us, that's all we need to know: Computers keep getting faster and cheaper. The details are of interest only to the legions of hardware nuts, high-performance system geeks and chip-overclocking fans who flock to the Web's hardware review sites. Right?

Well, the gigahertz specs may indeed be only geek fodder, but the other details of the Intel-AMD rivalry should be of keen interest to a much bigger crowd. That's because the competitive heat driving the processor market puts the relative fridity of another part of the computer business into bold relief. I refer, of course, to the business of designing personal-computer operating systems—a business that Microsoft has dominated for years and that, according to the confirmed verdict of our federal courts, it now monopolizes. What if Microsoft were challenged as strongly on its home turf as AMD is now challenging Intel? What innovations, improvements and price reductions would the public enjoy that it doesn't, today, thanks to the Microsoft monopoly? This is the big question that hangs over the continuing struggle to find a meaningful outcome to the endless Microsoft antitrust saga. And the AMD/Intel analogy is worth pursuing to try to find some answers.

Microsoft and its supporters, of course, maintain that the monopoly label is misplaced. After all, can't you buy a Macintosh without buying Microsoft Windows? Can't you obtain a PC and fire it up with any of a dozen versions of Linux or other Unix-style operating systems? Sure you can—and each of those operating-system alternatives has its partisans. But for use by individuals on their personal desktops, Microsoft Windows holds the overwhelming market share—by nearly every estimate, over 90 percent. Is that simply because Windows is superior to the alternatives? There are certainly people who believe that; and, to be sure, with the release of Windows XP last year, Microsoft finally moved its flagship operating system off the aging and increasingly unstable code base it had inherited from its infancy and onto the relatively more reliable Windows NT/Windows 2000 core.

But how much faster might Microsoft have achieved that improvement if it was racing a tough competitor? And how much more incentive might the company have to produce more secure, less virus-vulnerable products today?

The historical record is quite clear (and the antitrust trial record is just as clear): The central reason Windows has maintained and extended its market share over the years is not product superiority but a concept economists call "lock-in." Once you have all

your data and all your software applications on one operating system or "platform," moving to a different one is painful — it takes time and effort and money (as economists say, your "switching cost" is high). Over the years Microsoft has not had to push harder and faster to improve Windows because it knew that its customers were unlikely to make a fast switch to a competitor.

Now, that picture would be very different if you could somehow reduce or eliminate those switching costs. What if competing operating systems could seamlessly and interchangeably run the same programs and utilize the same data files that Windows does? Here's where the Intel/AMD analogy comes in handy. These manufacturers compete to provide chips that can run the same computer programs—known loosely as "x86 compatible" code—and that retain compatibility with hardware like expansion boards and peripheral devices. If you needed to write different versions of each piece of software and manufacture different versions of each piece of accompanying hardware—one that would work with Intel's chips and one that would work with AMD's—the whole competitive market would disappear. The weaker player (presumably AMD) would vanish and—presto!—Intel would have a monopoly as tough as Microsoft's.

This relatively level playing field in the x86-compatible processor business did not come about by sheer happenstance. The semiconductor industry is marked by a Byzantine pattern of patent cross-licensing agreements; they provide permanent employment for legions of lawyers, and laymen seek to understand them only at great peril. What's important about them, however, is not how they came about but that they work. Now that the federal courts are trying to figure out an effective remedy for Microsoft's abuse of its monopoly powers, the competition between Intel and AMD provides a valuable model. How would one go about enabling Microsoft's rivals to compete with it as effectively as AMD is competing with Intel?

The key here is something known as the Windows API (or "applications programming interface")—the set of instructions that Windows programs use to "talk to" the operating system. The Windows API has long been a murky issue: Microsoft has always provided some information to independent developers—it has to if third-party Windows programs are going to work. But Microsoft can and does muck around with the API, changing things that break competitors' products, anytime it wants to. And rumors have long buzzed, without ever being nailed down, that Microsoft's own developers take advantage of so-called hidden APIs that non-Microsoft coders can't use.

The Justice Department's proposed antitrust settlement with Microsoft seems to demand that Microsoft do more to open up its APIs to competitors. But the fine print makes it clear that Microsoft could pretty much continue with business as usual. A more effective remedy would be one that required Microsoft to standardize and publicize the entire set of Windows APIs and the file formats of its Office applications

(another key to Microsoft's monopoly "lock-in")—with the express goal of allowing competitors to build Windows software applications, and operating systems, that compete with Microsoft on a level field.

Such a plan would require careful oversight and enforcement, since Microsoft could easily engage in all manner of foot-dragging. If Microsoft set out to be uncooperative, it could release the API information slowly, in deliberately confusing ways, or in a "Good Soldier Svejk" fashion—assiduously following the letter of the court's order while flagrantly violating its spirit. (There's precedent here: This is precisely how Microsoft behaved during the trial when it told the court that, sure, it would supply a version of Windows with Internet Explorer removed from its guts, but gee, sorry, then Windows wouldn't work.)

Now, I can already hear the howls from the Microsoft corner that this plan is evil and un-American because it forces Microsoft to give up some of its intellectual property. Well, yes. Microsoft is in court as a repeat offender; the current antitrust suit, in which a federal district court and an appeals court have both affirmed that Microsoft is a monopoly and that it has abused its monopoly powers, arose out of the failure of a previous consent-decree settlement of an earlier antitrust case. At some point, having repeatedly violated the law, Microsoft needs to pay a price, or it will continue with its profitably anticompetitive ways.

There's no reason to think the Justice Department's proposed settlement will work any better than the consent decree of last decade did. And financial penalties can hardly wound a company that is sitting on a cash hoard of tens of billions of dollars. But intellectual property—that's something Bill Gates and his team really care about. Requiring them to divulge some of it in order to restore competition in the software market might actually get them to change the way they operate. With Microsoft's APIs and file formats fully standardized, documented and published, other software vendors could compete fairly—which, after all, is what antitrust laws are supposed to promote. We might then be faced with a welcome but long unfamiliar sight: a healthy software market, driven, as today's processor market is, by genuine competition.

The Justice Department settlement is currently in a public comment period mandated by a law known as the Tunney Act. Through Jan. 28 the public is invited to send in comments on the proposal. (You can also e-mail them, with "Microsoft Settlement" in the subject line.) I'm sending this article in, and I encourage readers to file their thoughts as well. What good is open government if we don't use it?

MTC-00012619

From: Warren Bryld
To: Microsoft ATR
Date: 1/16/02 11:27am
Subject: Microsoft Settlement

Let's move on!!!!!! Settle this lawsuit as proposed. Ignore the foot dragging states.

MTC-00012620

From: fkokawa@hmail.usa.com@inetgw

To: Microsoft ATR
Date: 1/16/02 11:29am
Subject: Microsoft Settlement

Microsoft's proposed settlement is reasonable and in the best interest of the consumer and economy. The schools will profit and more students will be served.

MTC-00012621

From: Darren Zrubek
To: Microsoft ATR
Date: 1/16/02 12:00pm
Subject: please.. . please.. . allow us to choose

hello,
i am begging that in your travels through this enormous undertaking of figuring out all this MS Bull#@\$&! that you remember one thing. . freedom of choice.. . . this is exactly what microsoft does not allow or promote from a consumer level or corporate level. do not take away our right to choose, make MS pay for what they have done and in a manner that is fair and acceptable to the rest of the free world, not MS.

dZ
darren zrubek
graphics manager/senior illustrator
spyder active sports, inc.
303.449.0611 xt 20
dzrubek@spyder.com

MTC-00012622

From: James Bybee
To: Microsoft Settlement
Date: 1/16/02 8:54am
Subject: Microsoft Settlement
James Bybee
PO Box 26
Monroe, WI 53566-0026
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:
The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

James Bybee

MTC-00012623

From: Al Helm
To: Microsoft Settlement
Date: 1/16/02 7:38am
Subject: Microsoft Settlement
Al Helm
PO Box 140155
Casselberry, FL 32708
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
A. Helm

MTC-00012624

From: Ray Kunza
To: Microsoft Settlement
Date: 1/16/02 8:08am
Subject: Microsoft Settlement
Ray Kunza
1148 James Farm Rd.
Hickory, NC 28602
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Ray Kunza

MTC-00012625

From: James Horn
To: Microsoft Settlement
Date: 1/16/02 8:24am
Subject: Microsoft Settlement
James Horn
2 Surrey Court
Chambersburg, PA 17201
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
James F. Horn

MTC-00012626

From: James Stead
To: Microsoft Settlement
Date: 1/16/02 6:19am
Subject: Microsoft Settlement
James Stead
112 Lynne Lane
Mapleville, RI 02839
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
James Stead

MTC-00012627

From: Anne Stegall
To: Microsoft Settlement
Date: 1/16/02 8:50am
Subject: Microsoft Settlement
Anne Stegall
PO Box 974
Gonzalez, FL 32560
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Anne W Stegall

MTC-00012628

From: Kelly Fuessel
To: Microsoft Settlement
Date: 1/16/02 8:45am
Subject: Microsoft Settlement
Kelly Fuessel
11255 Hwy 79
Taylor, TX 76574
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Kelly Fuessel

MTC-00012629

From: Clyde Hanks
To: Microsoft Settlement
Date: 1/16/02 7:56am
Subject: Microsoft Settlement
Clyde Hanks
HCR 65, Box 768
McKinnon, WY 82938
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Clyde Hanks

MTC-00012630

From: Cathy Mayer
To: Microsoft Settlement
Date: 1/16/02 8:56am
Subject: Microsoft Settlement
Cathy Mayer
318 Chestuee Rd
Calhoun, TN 37309
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Cathy Mayer

MTC-00012631

From: Jane Macek
To: Microsoft Settlement
Date: 1/16/02 8:08am
Subject: Microsoft Settlement
Jane Macek
8 Fillmore Avenue
Endicott, NY 13760
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Jane Macek

MTC-00012632

From: ken smith
To: Microsoft Settlement
Date: 1/16/02 8:23am
Subject: Microsoft Settlement
ken smith
56 powers rd
littleton, ma 01460
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Kenneth L. Smith

MTC-00012633

From: Janet Gruber
To: Microsoft Settlement
Date: 1/16/02 8:35am
Subject: Microsoft Settlement
Janet Gruber
805 Sunset Blvd
Ellwood City, PA 16117
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief. Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Janet Gruber

MTC-00012634

From: Jose Tallet
To: Microsoft Settlement
Date: 1/16/02 7:24am
Subject: Microsoft Settlement
Jose Tallet
119 Enchanted Oaks
Bonaire, GA 31005
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement: The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Jose E. Tallet

MTC-00012635

From: Charles Jenkins
To: Microsoft Settlement
Date: 1/16/02 8:43am
Subject: Microsoft Settlement
Charles Jenkins
Box 17
pottsgrove, pa 17865-0017
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Charles Jenkins

MTC-00012636

From: Hazel Gibson
To: Microsoft Settlement
Date: 1/16/02 8:01am
Subject: Microsoft Settlement
Hazel Gibson
6898 Burdine St.
Orange, TX 77632
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech

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Thank you for this opportunity to share my views.

Sincerely,
Hazel D. Gibson

MTC-00012637

From: Sterling Conover
To: Microsoft Settlement
Date: 1/16/02 8:23am
Subject: Microsoft Settlement
Sterling Conover
PO Box 721
Hanna, WY 82327
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Sterling J. Conover

MTC-00012638

From: Jim Harrill
To: Microsoft Settlement

Date: 1/16/02 7:58am
Subject: Microsoft Settlement
Jim Harrill

114 Steuben Dr.
Huntersville, NC 28078
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Jim Harrill

MTC-00012639

From: John Morrison
To: Microsoft Settlement
Date: 1/16/02 8:11am
Subject: Microsoft Settlement
John Morrison
207 Veranda Trail
Pearcy, AR 71964
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
John Morrison

MTC-00012640

From: Donald Rammel
To: Microsoft Settlement
Date: 1/16/02 6:46am
Subject: Microsoft Settlement
Donald Rammel
7509 St. Rt. 287
ZANESFIELD, OH 43360
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
DONALD P RAMMEL

MTC-00012641

From: Carl Albarado
To: Microsoft Settlement
Date: 1/16/02 8:19am
Subject: Microsoft Settlement
Carl Albarado
7537 Johnston St.
Maurice, La 70555
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition

in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Carl Albarado

MTC-00012642

From: Richard Wolfe
To: Microsoft Settlement
Date: 1/16/02 8:26am
Subject: Microsoft Settlement
Richard Wolfe
13718 60th Ave NW
Stanwood, WA 98292
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Rich Wolfe

MTC-00012643

From: Joseph Gonie
To: Microsoft Settlement
Date: 1/16/02 7:28am
Subject: Microsoft Settlement
Joseph Gonie

708 Cedar Point Rd.
Warsaw, Va 22572
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Joseph L. Gonie

MTC-00012644

From: Jan Steenback
To: Microsoft Settlement
Date: 1/16/02 7:32am
Subject: Microsoft Settlement
Jan Steenback
111 Woodcliff Ct
Simpsonville, SC 29681
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Jan Steenback

MTC-00012645

From: Robin Murphree
To: Microsoft Settlement
Date: 1/16/02 8:35am
Subject: Microsoft Settlement
Robin Murphree
397 McClellan Drive
Frederick, MD 21702
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

Microsoft's trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Robin L. Murphree

MTC-00012646

From: Henry Golden
To: Microsoft Settlement
Date: 1/16/02 8:09am
Subject: Microsoft Settlement
Henry Golden
115 Wasson Way
Simpsonville, SC 29680
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Henry Golden

MTC-00012647

From: Gloria Clark
To: Microsoft Settlement
Date: 1/16/02 8:51am
Subject: Microsoft Settlement
Gloria Clark
305 Bowers Bridge Rd.
Manchester, PA 17345
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Gloria Renshaw Clark

MTC-00012648

From: Robert Edwards
To: Microsoft Settlement
Date: 1/16/02 8:47am
Subject: Microsoft Settlement
Robert Edwards
2837 Union School Road
Alton, IL 62002-6936
January 16, 2002

Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Robert S. Edwards

MTC-00012649

From: Janet Breneman
To: Microsoft Settlement
Date: 1/16/02 7:28am
Subject: Microsoft Settlement
Janet Breneman
2040 N. 6 St
Terre Haute, IN 47804-2725
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Janet Breneman

MTC-00012650

From: Donna Cather
To: Microsoft Settlement
Date: 1/16/02 7:36am
Subject: Microsoft Settlement
Donna Cather
PO Box 130
Onalaska, Tx 77360-0130
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Donna Cather

MTC-00012651

From: WILLIAM SHERRIS
To: Microsoft Settlement
Date: 1/16/02 6:55am
Subject: Microsoft Settlement
WILLIAM SHERRIS
9157 EMERSON AVE
SURFSIDE, FL 33154
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
WILLIAM G. SHERRIS

MTC-00012652

From: Emil Punter
To: Microsoft Settlement
Date: 1/16/02 8:11am
Subject: Microsoft Settlement
Emil Punter
2639 Berkshire Drive
Geneva, IL 60134
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Emil M. Punter

MTC-00012653

From: Marilyn King
To: Microsoft Settlement
Date: 1/16/02 8:50am
Subject: Microsoft Settlement
Marilyn King
323 Lake Side Circle
Boerne, TX 78006-5611
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Marilyn J. King

MTC-00012654

From: Yvonne Golden

To: Microsoft Settlement

Date: 1/16/02 8:05am

Subject: Microsoft Settlement

Yvonne Golden

115 Wasson Way

Simpsonville, SC 29680

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Yvonne Golden

MTC-00012655

From: Sandra Price

To: Microsoft Settlement

Date: 1/16/02 8:41am

Subject: Microsoft Settlement

Sandra Price

2119 Linwood Oaks

Pearland, TX 77581

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Sandra W. Price

MTC-00012656

From: Alice Cable

To: Microsoft Settlement

Date: 1/16/02 7:57am

Subject: Microsoft Settlement

Alice Cable

8610 Charro Lane

San Antonio, TX 78217

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Alice V. Cable

MTC-00012657

From: henry fangoons

To: Microsoft Settlement

Date: 1/16/02 6:42am

Subject: Microsoft Settlement

henry fangoons

10 anthony drive

spring valley, ny 10977

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

henry rangoon

MTC-00012658

From: Peter Graczykowski

To: Microsoft Settlement

Date: 1/16/02 8:48am

Subject: Microsoft Settlement

Peter Graczykowski

20 Partridge Lane

Chicopee, MA 01022

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Peter Graczykowski

MTC-00012659

From: Mark Roberts
To: Microsoft Settlement
Date: 1/16/02 7:14am
Subject: Microsoft Settlement
Mark Roberts
771 N. Knollwood
Columbus, IN 47203-9395
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Mark Roberts

MTC-00012660

From: Dennis McDonald

To: Microsoft Settlement
Date: 1/16/02 8:21am
Subject: Microsoft Settlement
Dennis McDonald
PO Box 1041
Georgetown, KY 40324
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Dennis McDonald

MTC-00012661

From: Regena C. Rogers
To: Microsoft Settlement
Date: 1/16/02 8:32am
Subject: Microsoft Settlement
Regena C. Rogers
7022 Glacier Lane
Harrison, TN 37341
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Regena C. Rogers

MTC-00012662

From: Earl Abel
To: Microsoft Settlement
Date: 1/16/02 8:02am
Subject: Microsoft Settlement
Earl Abel
32185 AL.Highway 91 Lot #7
Hanceville, AL 35077-6547
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Earl Abel

MTC-00012663

From: John Saunders
To: Microsoft Settlement
Date: 1/16/02 7:10am
Subject: Microsoft Settlement
John Saunders
4439 Mac Eachen Blvd.
Sarasota, FL 34233-1731
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be

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Thank you for this opportunity to share my views.

Sincerely,
John Saunders

MTC-00012664

From: Van Sher
To: Microsoft ATR
Date: 1/16/02 11:37am
Subject: microsoft settlement
MILTON G. LEVY, INC.
REAL ESTATE/APPRAISAL
6160 BROCKTON ROAD
HATBORO, PA 19040
(215) 957-6400
FAX (215) 441-8448
vansher@home.com
January 14, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft,

I am writing this letter to express my concern over the prolongation of the settlement process in the Microsoft anti-trust case. The principal parties, with the trial court's endorsement, have hammered out a settlement agreement, which deals with the principal complaints of Microsoft's competitors and critics. The company has agreed to numerous concessions that should satisfy all but its most vengeful adversaries. It's time to put this matter to rest. It appears that doing the right thing is taking a back seat to politics, and that sacrifices money and resources that could help future generations.

Is this a paradox to the "AMERICAN DREAM"? The settlement will require Microsoft to radically alter its business and marketing practices. Windows systems will now be configured to not just to accept, but even to promote other companies' software. Microsoft will share information about certain internal Windows interfaces with competitors. Microsoft will abstain from its past anti-competitive practices and will not retaliate against software and hardware competitors. Microsoft has even agreed to submit itself to ongoing review by a new government oversight committee. Obviously, Microsoft has agreed to a lot! Please give your approval to this agreement. Our now faltering economy does not need an economic giant like Microsoft hobbled by endless litigation.

Sincerely,
Van Sher
CC: Senator Rick Santorum

MTC-00012665

From: FRAN dougherty
To: Microsoft Settlement
Date: 1/16/02 6:51am
Subject: Microsoft Settlement
FRAN dougherty
512 w. rively ave
Glenolden, PA 19036
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
FRAN DOUGHERTY

MTC-00012666

From: Nancy Saggio
To: Microsoft Settlement
Date: 1/16/02 8:22am
Subject: Microsoft Settlement
Nancy Saggio
28 Twp. Rd. 281 Lot 35
Steubenville, oh 43952
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Nancy L. Saggio

MTC-00012667

From: Fred Gates
To: Microsoft Settlement
Date: 1/16/02 7:59am
Subject: Microsoft Settlement
Fred Gates
210 Poplar Street
Monroeville, PA 15146-4004
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,
Fred and Ginny Gates

MTC-00012668

From: John Hendricks
To: Microsoft Settlement
Date: 1/16/02 7:14am
Subject: Microsoft Settlement
John Hendricks
504 Tower Dr. #4
Louisville, KY 40207
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

John M. Hendricks

MTC-00012669

From: Eric & Michele Burns
To: Microsoft Settlement
Date: 1/16/02 7:18am
Subject: Microsoft Settlement
Eric & Michele Burns
323 Freedom Dr.
Franklin, TN 37067
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Eric & Michelle Burns

MTC-00012670

From: Gary Wagner
To: Microsoft Settlement
Date: 1/16/02 8:08am
Subject: Microsoft Settlement
Gary Wagner
Roseland, 200 Highland Ave.
Lewistown, PA 17044-1333
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Gary Wagner

MTC-00012671

From: Patsy Carter
To: Microsoft Settlement
Date: 1/16/02 8:46am
Subject: Microsoft Settlement
Patsy Carter
1414 airline place
Rosharon, tx 77583
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Patsy Carter

MTC-00012672

From: Douglas Norvell
To: Microsoft Settlement
Date: 1/16/02 8:33am
Subject: Microsoft Settlement
Douglas Norvell
424 Sleepy Meadow Drive
Mt. Vernon, MO 65712
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Douglas E. Norvell

MTC-00012673

From: Elizabeth Broussard
To: Microsoft Settlement
Date: 1/16/02 8:48am
Subject: Microsoft Settlement
Elizabeth Broussard
15150 Memorial Drive
Houston, TX 77079-4304
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech

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Thank you for this opportunity to share my views.

Sincerely,
Elizabeth Broussard

MTC-00012674

From: Paul Bowman
To: Microsoft Settlement
Date: 1/16/02 8:35am
Subject: Microsoft Settlement
Paul Bowman
807 S. Atlantic Ave.
New Smyrna Beach, FL 32169
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Paul Bowman, Active Republican

MTC-00012675

From: Cynthia Knapp
To: Microsoft Settlement

Date: 1/16/02 8:19am
Subject: Microsoft Settlement
Cynthia Knapp
168 Jericho Manor
Jenkintown, PA 19046
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Cynthia Knapp

MTC-00012676

From: Grace Cushman
To: Microsoft Settlement
Date: 1/16/02 8:13am
Subject: Microsoft Settlement
Grace Cushman
520 North Monroe St
Hastings, MI 49058-1127
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Grace J Cushman

MTC-00012677

From: George Hasenbein
To: Microsoft Settlement
Date: 1/16/02 7:27am
Subject: Microsoft Settlement
George Hasenbein
4460 Suwanee Dam Road
Suwanee, GA 30024-1984
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
George H. Hasenbein

MTC-00012678

From: Charles Hollis
To: Microsoft Settlement
Date: 1/16/02 8:10am
Subject: Microsoft Settlement
Charles Hollis
4209 Pleasantwood Rd
Knoxville, TN 37921
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech

industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Charles R Hollis Jr

MTC-00012679

From: Kyle Stanchfield

To: Microsoft Settlement

Date: 1/16/02 7:56am

Subject: Microsoft Settlement

Kyle Stanchfield

192 East 13th Street

Fond du Lac, WI 54935

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Kyle John Stanchfield

MTC-00012680

From: Floyd Yarrington

To: Microsoft Settlement

Date: 1/16/02 6:46am

Subject: Microsoft Settlement

Floyd Yarrington

4384 Woodridge Dr.

Hillsboro, MO 63050-2608

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Floyd E. Yarrington

MTC-00012681

From: albert stanifer

To: Microsoft Settlement

Date: 1/16/02 7:11am

Subject: Microsoft Settlement

albert stanifer

399 crawford tom's run rd.

new lebanon, Oh 45345

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

albert stanifer

MTC-00012682

From: Dorothy Nave

To: Microsoft Settlement

Date: 1/16/02 8:36am

Subject: Microsoft Settlement

Dorothy Nave

1771 Upper Snake Spring Road

Everett, Pa 15537

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Dorothy Nave

MTC-00012683

From: Hallie Schneeweiss

To: Microsoft Settlement

Date: 1/16/02 8:05am

Subject: Microsoft Settlement

Hallie Schneeweiss

85 Galileo Drive

Williamsville, NY 14221-2776

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Hallie F. Schneeweiss

MTC-00012684

From: Laurie Hilgers
To: Microsoft Settlement
Date: 1/16/02 7:52am
Subject: Microsoft Settlement
Laurie Hilgers
39094-206th Street
Green Isle, MN 55338
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Laurie Hilgers

MTC-00012685

From: Robert Stanley
To: Microsoft Settlement
Date: 1/16/02 6:46am
Subject: Microsoft Settlement
Robert Stanley
22367 St. Rt. 335
Waverly, OH 45690
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Robert L. Stanley Jr.

MTC-00012686

From: Thomas E. McBrayer
To: Microsoft Settlement
Date: 1/16/02 6:53am
Subject: Microsoft Settlement
Thomas E. McBrayer
13310 St. Augustine Road
Jacksonville, FL 32258
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Thomas E. McBrayer

MTC-00012687

From: Nancy Wethington
To: Microsoft Settlement
Date: 1/16/02 8:22am
Subject: Microsoft Settlement
Nancy Wethington
4399 W. Bittner Lane
New Palestine, IN 46163-9547
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

Nancy Wethington

MTC-00012688

From: mardeanmat@webtv.net@inetgw
To: Microsoft ATR
Date: 1/16/02 11:39am

This settlement should be rapidly taken care of. The actions of the government so far has cost me and all tax payers \$1000s of dollars. MDM

MTC-00012689

From: Samuel G. Sheterom, Jr.
To: Microsoft Settlement
Date: 1/16/02 7:04am
Subject: Microsoft Settlement
Samuel G. Sheterom, Jr.

528 Monroe Blvd.
Painesville, OH 44077-2838
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Samuel G. Sheterom, Jr.

MTC-00012690

From: Andre Schan
To: Microsoft Settlement
Date: 1/16/02 8:53am
Subject: Microsoft Settlement
Andre Schan
41 Horseneck Road
Montville, NJ 07045
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry (look at the NASDAQ index since the Microsoft litigation started). It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of

corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Andre Schan

MTC-00012691

From: Derek Brine
To: Microsoft ATR
Date: 1/16/02 11:42am
Subject: Microsoft settlement

We urge acceptance of the settlement offered by Microsoft.

It's time to accept this offer and let the Company concentrate on new fields of endeavor.

MTC-00012692

From: Dkbul@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 11:49am
Subject: Microsoft Settlement

We agree that this case should be settled as proposed without any further litigation or court action. Please expedite the settlement and stop any further action.

David & Barbara Bullard
1116 Woodstock Lane
West Chester, PA 19382

MTC-00012693

From: JAN FENSKE
To: Microsoft ATR
Date: 1/16/02 12:00pm
Subject: Microsoft Settlement

To Whom It May Concern in the Dept of Justice:

As a citizen if the United States I feel the Dept of Justice has more important things to spend their money on than pursuing Microsoft on this Antitrust suit. Please settle it timely.

Thank you.
Janice A. Fenske

MTC-00012694

From: Tedha@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 12:00pm
Subject: MICROSOFT SETTLEMENT

I wonder if there has ever been a greater misapplication of the law than the DOJ action against Microsoft? Certainly the consumer has not been harmed by this company. Could there ever have been personal computers costing less than \$1,000 with the capacity of today's machines without Microsoft? If you understand the dynamics of the computer business you would have to say, "NO." The idea that with more competition in operating system software, there MIGHT have been more benefit to the consumer is ludicrous. The industry needed one stable target for which to build hardware and write application software. The operating system was the one logical target.

Had there been two or more truly competitive operating systems, the efforts of the hardware builders and application software writers would have been diluted, available budgets would have been stretched

too thin, market sizes reduced and a huge element of confusion introduced. The reason there was only one operating system is that the industry could afford to work with only one operating system and still move at the blistering pace that provided inexpensive, powerful machines. Over the years it was Microsoft which took the right risks, made the right decisions and drove their work force to make the right solutions to earn being the provider of that operating system. It is time to resolve this fiasco by our government. Microsoft should have been found innocent by the courts. But because of a rogue trial judge and political fears within the appellate court, that is not going to happen. Take the "ounce of flesh" by causing Microsoft to supply the software to our less fortunate educational institutions and let's get on with life.

Ted Hannum
Seattle

MTC-00012695

From: Sean Gallagher
To: Microsoft ATR
Date: 1/16/02 12:06pm
Subject: Microsoft Settlement

To whom it may concern:

A behavioral remedy does not correct the imbalance of competition in the computer software industry, and the technology industry in general, created by Microsoft's past and current illegal monopolistic practices. In addition to the proposed behavioral remedies, I believe a monetary penalty should be imposed, and used to fund education programs and loan programs that encourage the development of new competition in the information technology marketplace. With its large cash reserves of over \$30 billion, amassed at least in part through illegal business practices, Microsoft can extend its monopoly into other areas easily through acquisitions of innovative small companies and even competitive larger ones. The only way to prevent this is through a large cash fine.

Respectfully,
Sean Gallagher
1205 W. 41 St.
Baltimore, MD 21211

MTC-00012696

From: Kay Marquez
To: Microsoft ATR
Date: 1/16/02 12:07pm
Subject: microsoft settlement

Hello Dept of Justice

I would like to see the Microsoft Case be settled? it is wasting valuable resources and time and we need to focus on the U.S. economy.

Kay Marquez, REALTOR(R), GRI
Creative Property Services—Central Santa Rosa
831 4th St.
Santa Rosa CA 95404
vm 707.569.2163
cell ph 707.484.4526
800.743.5401 ext. 163

MTC-00012697

From: thomas parsons
To: Microsoft ATR
Date: 1/16/02 12:11pm
Subject: Settlement of antitrust case against

Microsoft

As a consumer, I have a choice as to the products I wish to purchase and no one forces me to purchase one over the other. It was my own decision to purchase Microsoft. This case discourages innovative thinking and those companies who don't do as well as they would like to, have wasted a lot of tax payer money carrying out a vengeful case towards someone who has done better than them. Let's expend our energies for (and get on with) the important issues in America, such as protecting hard working employees as those from Enron who have really been taken advantage of and it is criminal what has happened to them! It must have been a slow day for lawyers and our congress when (under Clinton's admin. or lack of admin.) this trumped up charge was brought against Microsoft. STOP WASTING THE TAXPAYERS MONEY on frivolous things—go for the important issues. We had 8 years of stagnation, let's start working for the good of the American people.

Tom & Terri Parsons

MTC-00012698

From: Jimrootsr@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 12:12pm
Subject: Microsoft Settlement

I have reviewed the subject proposed settlement and believe it is fair to all parties involved. I urge it's final adoption and approval.

James W. Root
14611 Broadgreen Dr.
Houston, TX 77079
281-497-6931

MTC-00012699

From: William Crowder
To: Microsoft ATR
Date: 1/16/02 12:17pm
Subject: The Microsoft case

I want to urge and Department of Justice to settle this case. The decision by the Court of Appeals was tough enough. The Company is willing to comply and schools will be helped by this decision to require Microsoft to donate a large amount of merchandise. Just because the Company is large and successful it should not be further penalized. The competitors of Microsoft have gone too far in urging the other states not to accept the agreement, to require the Company to do even more. Microsoft employs a large work force, it certainly contributes a great amount to the American economy and to that of the area where it is located. Let's get on beyond this stage of extracting more "blood from the turnip" to so speak, settle the case and let successful companies free to continue to innovate and succeed, Signed:

William W. Crowder, PH.D.
629 North Street,
Lafayette, IN 47901.

MTC-00012700

From: PatABass@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 12:17pm
Subject: Microsoft Settlement

Letter to Attorney General Ashcraft has been sent.

Jack Bass

MTC-00012701

From: Tyler Williams
To: Microsoft ATR
Date: 1/16/02 12:21pm
Subject: Microsoft Settlement
Leave Microsoft alone!!

the DOJ has no right meddling with the entepenureship of one man. Look what you've done to the phone system (Bell Labs). Why don't you take a closer look at the CABLE TV Companies instead!!

STOP WASTING MY TAX DOLLARS!!!!

I WILL MAKE IT A POINT TO VOTE
AGAINST ANY PUBLIC OFFICIAL
INVOLVED WITH THE BREAK UP OF
MICROSOFT!!

MTC-00012702

From: Laura Dodds
To: Microsoft ATR
Date: 1/16/02 12:16pm
Subject: D.O.J. vs Microsoft Case

I would encourage the Department of Justice to accept the Microsoft proposal to donate computers/ funds to schools and end this case.

I believe it is most IMPORTANT to let Microsoft move forward to create more communications software for people all over the world to share medical, scientific, and all other knowledge.

To continue legal proceedings and delay progress in worldwide communications is reprehensible. There is no other group as dedicated or as capable to continue this project for all humanity. lauraj00@yahoo.com

MTC-00012703

From: Buzz Cole
To: Microsoft ATR
Date: 1/16/02 12:28pm
Subject: Microsoft Settlement
To Whom it May Concern,

The proposed settlement accepted by 9 of the 18 states is a good settlement. I believe it is fair and in my best interest as a software consumer, computer user and business owner. I believe that the states that don't want to settle are being influenced by big business interest who want more than a level playing field. They want to tip the playing field their way and see this as a great opportunity to do just that. I do not believe for a minute that the states that refuse to settle do so in the best interest of their constituents much less consumers in general. I believe what they want will, in the end, hurt not only the consumer and the software industry but will hurt the economy in general at a time when the economy is in the depths of a recession. How much more do we the consumers have to put up with at the hands of big business and their political cronies?

Put an end to the abuse of industry and the legal system at the greedy hands of a few rich and powerful business men who want nothing more than to ELIMINATE one of their competitors; a result that can only be bad for the consumers.

Thank you for this opportunity to express my point of view on an issue that is very important.

Kindest Regards
Buzz Cole
President, NWPT Inc.

MTC-00012704

From: Thomas Chistensen
To: Microsoft ATR
Date: 1/16/02 12:31pm
Subject: microsoft settlement

I am in favor of ending the litigation against microsoft. Therefore I am in favor of the settlement. I think the case was ill advised from the begining. I would like more features on a computer not less. I would like a single vendor not many.

Very truly yours,
Thomas Christensen Send and receive
Hotmail on your mobile device: Click Here

MTC-00012705

From: Nelson, Marty
To: 'Microsoft.atr(a)usdoj.gov'
Date: 1/16/02 12:31pm
Subject: US vs.
Microsoft Settlement

I object to the method of process that this case has taken. The States are looking for a handout just like they got from the tobacco settlement. This is pure greed.

As a user of Microsoft products I fully support their development efforts. Yes they are aggressive in their business practices but no more than many other industry leaders. Netscape's original complaint was a whining company defeated at the market place by a better product. Another cry for compensation only this time from a disgruntled competitor.

Why not let Microsoft do what they do best—provide technology and innovation to schools and public facilities so we all benefit. As proven in the state's tobacco settlement, the money is not being spent on what it was intended for but rather allocated elsewhere for other things.

D. Marty Nelson
5609 NW Lac Leman Dr.
Issaquah, WA 98027

MTC-00012706

From: Pete Priel
To: Microsoft ATR
Date: 1/16/02 12:40pm
Subject: Microsoft Settlement
To whom it may concern:

I have been an information technology professional since 1991. In my present career I'm a computer consultant that supports Windows and Macintosh computers. My Macintosh business is almost nil and the clients I do have on Mac are all phasing them out—even though the Macs are fast, and run MS Office quite well. And now more than ever when Mac OS X costs \$149 to upgrade and Windows XP costs \$50 more at \$199—those clients are still staying the course and phasing out Macs and PC's running other operating systems and software.

How can this be. . .

FACT: DOJ has determined Microsoft to be a monopoly.

Even though the judgment was recent, this has been the case since 1995. And is still the case, now! How can you explain it when people \$50 more for a product to upgrade even though the competitive product is equal and in many cases superior: Monopoly. How can it be that my Mac clients are phasing out their 2 year old Macs and buying Machines with Windows XP pre-installed without paying for the cost of the operating system:

Monopoly. Here's the Microsoft strategy even now: Lose money on Windows XP on the new PC's and since Windows is the only choice in the desktop arena, inflate the price charged for upgrades. And from my economics 101 class Microsoft can only do this because they do in fact have a Monopoly.

THIS IS UN-AMERICAN!

DOJ has a tough job. How to remedy? The goals of remedy are correct. But I would urge:

1. Publish ALL Windows API information
2. Chaperon Bill and Ballmer so they are force to—share—this for 10 years
3. Have a group validate the API as to it's correctness

4. Have 2 & 3 be implemented though an—International—standards group like the ISO, ANSI or some other such organization

And more to the point

1. Force M\$ to charge a normal market value for their OS to hardware VARs like Compaq, Dell, Gateway, etc.

Thank you for considering my comments.

Pete Priel

Pete Priel

Tech House SF

322 Cortland Ave. #89

Phone: (415)309-4210

e-FAX: (415)276-1912

www.techhousesf.com

petep@techhousesf.com

MTC-00012707

From: MHall663@aol.com@inetgw

To: Microsoft ATR

Date: 1/16/02 12:42pm

Subject: Microsoft Proposal

To Whom

Please hear my personal opinion: Accept the proposal Microsoft has offered and finish this mess. A lot of lawyers have gotten rich off of this lidigation and it hasn't helped the country at all.

Thank-you,

Mary W. Hall

MTC-00012708

From: Andres Mera

To: Microsoft ATR

Date: 1/16/02 12:44pm

Subject: Microsoft Settlement

My view is that the microsoft case should be settlet no further litigated.

MTC-00012709

From: Kurtis Behn

To: Microsoft ATR

Date: 1/16/02 12:45pm

Subject: Microsoft Settlement

In the interest of public comment:

I think the only way that true competition in the interest of the consumer can be returned to the OS/Office Software industries would be to publicize and standardize the API and file formats. The only useful punishment for Microsoft's wrongdoings would be to hamstring it's power embodied by it's intellectual property. But beyond this sort of childish retribution, the only way the software industry can truly benefit the consumer (in the spirit of processors and AMD/Intel) would be take the 'switching costs' out of the equation and allow for the competition in the industry to center around providing benefits to the user not elbowing (and/or strong-arming) one's way through backroom deals.

Thank you

Kurt

MTC-00012710

From: CAD/Pacific

To: Microsoft ATR

Date: 1/16/02 12:45pm

Subject: Microsoft Settlement

Dear Sirs,

I believe the entire Microsoft suit should just be dropped. Microsoft has not committed fraud or theft.

Just drop the suit and allow the free market to work things out. Microsoft might be very surprised.

Bill Goode

Los Angeles

MTC-00012711

From: PPallette@aol.com@inetgw

To: Microsoft ATR

Date: 1/16/02 12:48pm

Subject: Microsoft

USDOJ, Having written several times before, I am again urging you to close this seemingly endless litigation against the most significant company to come along in 50 years. I continue to believe they have done no wrong, unless being an aggressive competitor is contrary to our free market ideals. This case was initiated by a couple of cry-baby competitors who couldn't keep up with Gates and Ballmer. It is now taking on the role as a showcase for a few maverick state attorneys general who are more interested in pursuing their own goals than those of the public they represent. Haven't we spent enough time and money on this witch hunt? Let's allow the original judgement to stand, and get back to the task of rebuilding our economy rather than tearing it down. Thanks for your consideration.

Peter C. Pallette

MTC-00012712

From: Lowell D. Neufeld

To: Microsoft ATR

Date: 1/16/02 12:55pm

Subject: Easy to Use Software

To whom it may concern:

As an ordinary none technically inclined software user, I have been amazed at how easy the Microsoft integrated software products are to learn and use. I shudder to think of the fragmentation in software that would have occurred without Microsoft setting the standard. What a bargain the operating system is! For the same cost, with each new upgrade, I get more things integrated which translates in easier to use. Why should I be asked to pay more money to obtain these editions from other vendors when I can get the same functionality with no extra cost. As a consumer I love the ease of use the Microsoft monopoly has given me.

Lowell D. Neufeld

MTC-00012713

From: carl merz

To: Microsoft ATR

Date: 1/16/02 1:02pm

Subject: Microsoft Settlement

Microsoft is a great American company that has suffered years of government intervention on behalf of the competitors of Microsoft, not the public. Microsoft's competitors have been unable bring to the

world fantastic products at almost unbelievable low prices that Microsoft has achieved because, Microsoft created numerous visionary useful products that are seamless, and work in harmony with each other without special knowledge of the user. This forward thinking vision produced economy of scale, market interest and lower prices. This benefits consumers and led to tremendous increases in productivity. Instead of relentless pursuit of Microsoft our government should protect Microsoft against worldwide theft of intellectual property and cherish and respect the company that led our country to greater productivity and leadership in the information age. I believe there is plenty of room for challengers with new visions but not much for the less creative. Microsoft rewards its employees, stockholders and created a new paradigm for others to follow.

Therefore without hesitation I recommend that we proceed with settlement of the case without any additional wasteful litigation against Microsoft.

Carl A. Merz

President

Hartford Aviation Group, Inc.

Aircraft Engine Leasing

Tel: (860)549-0096 Fax: (860)525-5351

carlmerz@hartfordaviation.com

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CC:MSFIN@Microsoft.com@inetgw

MTC-00012714

From: George Flake

To: Microsoft ATR

Date: 1/16/02 1:00pm

Subject: Comments

I believe that the Justice Department and the various states involved should drop their charges against Microsoft. These antitrust charges have cost Microsoft, US Taxpayers, Microsoft stock holders and the general economy an enormous amount of money. Continuing these charges will add substantially to the losses of taxpayes and stock holders. Microsoft is one of the most innovative companys in the world. Let them continue their innovation which has been and will continue to benefit the US and world economy.

George H. Flake

17867 Amberwood Lane

South Bend, IN 46635

MTC-00012715

From: Jimsivys@aol.com@inetgw

To: Microsoft ATR

Date: 1/16/02 1:04pm

Subject: Microsoft settlement

As a citizen who has watched this litigation roll on and on, I would like to see it end.

I think the settlement is fair for all concerned and in the public's best interest. Let's not drag it on ant longer.

James & Ivy Sandsmark

8040 116th Ave SE
Newcastle, WA 98056

MTC-00012716

From: Kelly.Boyd@gov.state.ar.us@inetgw
To: Microsoft ATR
Date: 1/16/02 1:10pm

Subject: RE: Comments on the Microsoft
Proposed Settlement Agreement

On behalf of and at instruction from
Arkansas Governor Mike Huckabee, I am
forwarding his comments on the proposed
Microsoft Settlement Agreement for your
review. If you have any questions, please feel
free to contact me at any time.

Sincerely yours,
Kelly Boyd

Policy Advisor for Technology
Office of the Governor
State of Arkansas
501-682-9060
Ms. Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

RE: Comments on the Microsoft Proposed
Settlement Agreement

Dear Ms. Hesse:

Microsoft is a company that has long
provided good products to consumers and
businesses. When word of a possible
settlement in the Microsoft case broke, the
markets surged. In spite of gloomy economic
reports, the news was viewed by investors as
a sign that our nation's critically important
high-tech industry could move forward
without the continuing shadow of
government interference. It is my view that
the provisions of the proposed settlement
will be good for consumers, businesses, the
technical sector and our economy as a whole.

As I understand it, the settlement places
sanctions on Microsoft without destroying
the company. These sanctions will foster
greater competition in the software industry
and give consumers greater choice when they
purchase and enhance their computers. I am
encourage by the actions of the Department
of Justice and your efforts to settle this case.

Please accept this correspondence as my
full support for both the Department of
Justice and the nine Attorneys General in the
efforts to finally put an end to this case and
agree to a settlement that is in our nation's
best interest.

Sincerely Yours,
Mike Huckabee
Governor
State of Arkansas
State Capitol Building
Suite 250
Little Rock, Arkansas 72201
CC:Governor@gov.state.
ar.us@inetgw,Brenda.Turner@gov.

MTC-00012717

From: Piaw Na
To: Microsoft ATR
Date: 1/16/02 1:11pm
Subject: about the microsoft settlement

As a software professional of 13 years
experience, I agree with Scott Rosenberg's
statement in his article [http://](http://www.salon.com/tech/col/rose/2002/01/16/)
www.salon.com/tech/col/rose/2002/01/16/

competition/index1.html. We cannot have
reasonable improvement and innovation
without competition in the operating system
markets, and the current proposed settlement
does not provide reasonable competition for
Microsoft. As a repeat offender of the Anti-
Trust laws, Microsoft needs to have it's APIs
made public, and be itself forced to conform
to them.

Once that is done, Linux, FreeBSD, and
other platforms can then be built to
effectively compete with Microsoft.

Yours,
Piaw Na
Sunnyvale, CA

MTC-00012718

From: Jon Debonis
To: Microsoft ATR
Date: 1/16/02 1:10pm
Subject: Microsoft Settlement

Microsoft is a monopoly. Today I was
searching the web for an alternative graphics
program because I can't afford the 500.00 for
Photoshop, and I found one that modifies all
the standard file formats for far less than
adobe's product. When it comes time to
upgrade to the new versions of a pc operating
system that supports all the hardware in my
system, or that I can run any standard suite
of applications on I will be forced to buy
Microsoft Windows.

Microsoft cannot be allowed to push out
the competition.

Microsoft must share its api's.

Jon Debonis
Microsoft Certified Professional (MCP)
Castro Valley, CA

MTC-00012719

From: Bob Lukitsch
To: Microsoft ATR
Date: 1/16/02 1:17pm
Subject: microsoft settlement

I agree in principal with the author of this
article. Although I think it would be just as
effective had the court ordered a break-up of
Microsoft into two entities, one for the
operating system and one for the
applications. That way the operating system
division would seek to maximize the inter
operability of all Windows applications, not
just the "homegrown" variety.

MTC-00012720

From: ESM(a)mac.com
To: Microsoft ATR
Date: 1/16/02 1:22pm
Subject: Undermining our faith in the US
Government
Hi:

My two cents on the Microsoft antitrust
settlement. . . in a word, ridiculous.
Microsoft is the largest, most successful
monopoly in US history and has a corporate
culture, starting with Bill Gates, of lying,
stealing, cheating, badgering and illegally
bludgeoning everyone and anyone whom
they perceive as a "competitor". They will
continue their rampage in the computer
industry until the US Government actually
DOES SOMETHING to end their
monopolistic practices.

The current settlement on the table is not
this solution but rather a pathetic slap on the
wrist. It just goes to show you that when you
have enough money you can BUY the right

to lie, steal and cheat in the marketplace (in
general, the corrupt politicians in
Washington are almost wholly responsible
for this with the Republicans, which I am
embarrassed to admit that I am one, leading
the way in CASH for FAVORS).

Oh yeah. . . and about that rhetoric
floating around about it being anti-American
and anti-Capitalist to prosecute Microsoft. . .
the obvious source of this sentiment is
Microsoft. This is Bill Gates propaganda
campaign to derail the antitrust ruling against
Microsoft and WE DON'T BUY IT.

There is only so much we as American
citizens will tolerate when it comes to the
fleecing of the general public. The time is
drawing nigh where there will be a wholesale
revolt against this kind of crap and WE THE
PEOPLE will begin electing reps who
actually represent us and not BIG
CORPORATIONS.

. . . e

MTC-00012721

From: Jane Montague Scott
To: Microsoft ATR
Date: 1/16/02 1:20pm
Subject: Microsoft Settlement

It makes no sense to deny kids to access
to some of the best technology in the world
as part of the settlement just for the purpose
of giving Apple a leg up by forcing to MS to
provide money to buy Apple software and
products. If MS produces inferior products to
Apple there could be an argument, but they
are both good technology. It seems that
schools could get more for their money if MS
donates MS products as part of the settlement
rather than having to purchase a competitors
high priced products that are no better. Lets
think of giving the schools more not less.
Attempts to put MS out of business are
misguided as it will become extremely
expensive to hire technicians who are needed
to resolve issues involved in making the
switch. The technicians get rich and the
schools loose.

How is it that Apple seems to dominate the
market for elementary school computer
technology. Have they engaged in unfair
marketing?? Why can't the two work together
and make their software interchangeable for
each others OS, rather than the government
setting up a scenario where one will be put
out of business. resulting in more of a
dominance of the market.

MTC-00012722

From: Ivan Baxter
To: Microsoft ATR
Date: 1/16/02 1:21pm
Subject: Microsoft

The current settlement is completely
unacceptable. It leaves the Microsoft
monopoly intact. The absolute minimum
acceptable would be to force (with extreme
enforcement provisions) Microsoft to release
ALL of the APIs and force them to sell copies
of Windows to computer makers without
Office bundled in. Ivan

Ivan Baxter
Graduate Student
Harper Lab
The Scripps Research Institute
858-784-9825

MTC-00012723

From: Don (q)Foxy(q) Fox
 To: Microsoft ATR
 Date: 1/16/02 1:23pm
 Subject: microsoft settlement

Please get this microsoft settlement taken care of so microsoft can get on with there tech movements

thank you
 don fox.
 foxy@sisna.com

MTC-00012724

From: llburian@crosslink.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:15pm
 Subject: Microsoft Settlement

While I m no real strong fan of Microsoft the government s case against the company is nothing more than a class warfare witch hunt promulgated by the Clinton Administration and carried forward by Janet Reno. This act alone was largely responsible for high tech stocks to plummet in value. Bill Gates and his cohorts are a prime example of ordinary people accomplish -ing extraordinary things in our capitalistic society. What Micrsoft has REALLY done is to pioneer and encourage others (a.k.a the competen) to pioneer inno- vative breakthroughs in computer technology that has brought us consumers better products at the lowest possible prices. If the Microsoft s competition can t stand the heat of competen they should look for another line of work. We had a saying back home: If you can t run with the big dogs then stay on the porch! And the government should end this nonsense NOW and get out of the way of capitalism at work. Uncle Sam has done enough harm to consumers with the wrong-headed persecution of Bill Gate et al.

MTC-00012725

From: mikeyj2@pacbell.net@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:15pm
 Subject: Microsoft Settlement

It s time to end the Microsoft litigation. Court time is not productive for anyone.

MTC-00012726

From: dmmcw@juno.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:16pm
 Subject: Microsoft Settlement

You have rolled over and died. Microsoft has beaten you with a shape stick. You will probably never see this email. Microsoft is the worst company in the world and the DOJ wants to let them off with a slap on the wrist? Search your history: 1955 Consent Decree between IBM and DOJ. IBM was broken into 3 groups at least and not allowed to disparage or unhook. In 1999 they got you DOJ to recind the CD.

Do the same thing to Microsoft. Dont allow them to have IE an integral part of the OS. Separate the OS from the applications. Tell them to play by the rules or cease and disist. No more bullying of small companies. DOJ should have started from the position of putting Microsoft out of business. They are not the All American firm they want you to believe. They are ruthless and destructive and destroy every thing and every one in

their way. Rant and Rave. I just got a phone call from an organization the called itself Americans for Technology Leadership. It s a front for Microsoft. Someone called and I told him my point and he hung up the phone. No guts. Wanna play hardball. So far DOJ has played softball. Dont send me an automatic response.

McWalters

MTC-00012727

From: gmasterson@buffalo
 computergraphics.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:16pm
 Subject: Microsoft Settlement

It is time to bring the Microsoft case to conclusion. I am in full agreement with the settlement and believe it should be 100% supported.

Thank you.

MTC-00012728

From: sally—wise@msm.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:15pm
 Subject: Microsoft Settlement

Its time that we move on and get back to business. This country and Microsoft have been at war long enough. This is hurting the computer business and the economy. Please do not allow this to them to continue to try to break a company that was doing their best to provied products to people to increase their productive lives. This is suppost to be a free market country but it seems like its ok with the competer does things that are misleading but MS is not allowed. Please do not change the ruling and close the case.

Thank you for your time.

Sally Wise

MTC-00012729

From: kowen@48001.pjc.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:16pm
 Subject: Microsoft Settlement

lets settle this issue!. The public is not being hurt. let s not give up the competitive edge we enjoy in the world today.

Kurt

MTC-00012730

From: dphillwan@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:15pm
 Subject: Microsoft Settlement

I think the settlement set forth is in the best interests of all parties involved and should be agreed to by all.

I believe this case has dragged on long enough at the expense of the American taxpayer. I still believe that the original foundings of the case are not warranted and that in fact the reason why Microsoft has captured the market is because they sell innovative products at fair market prices. Every effort should be made by the Justice department to conclude this lawsuit.

MTC-00012731

From: rsanz@ensr.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:16pm
 Subject: Microsoft Settlement

While I appreciate the role of the Justice Department in monitoring the actions of

companies throughout the US I believe we have reached the point of diminishing returns in considering additional remedies for overstepping those bounds. I also want to point out that from the perspective of the consumer we are most interested in software that works. In my experience though not perfect the MS software gives me what I need to get my work done. I think it is time to come to a settlement and move on for the sake of the economy and technology businesses as a whole.

Sincerely
 Robert Sanz

MTC-00012732

From: rdollar@avaya.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:15pm
 Subject: Microsoft Settlement

I cannot condone my government continuing to spend vast amounts of money to prosecute a case that I personally believe has little merit. I can only see an end result of a weaker US tech sector if we continue to punish Microsoft. Enough is enough settle this and let s get back to work. The economy is in shambles and getting worse.

MTC-00012733

From: george.haney@
 technologist.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:15pm
 Subject: Microsoft Settlement

I can t wait for this stupid court case to be done. What are you our leaders doing for us? It is amazing that the US stands for competition until you compete too much or climb to high. Leave the top dog to do what dogs do!

MTC-00012734

From: noman@whidbey.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:15pm
 Subject: Microsoft Settlement

This has gone on long enough and cost way too much in both time and money. Settle the case and settle it now.

MTC-00012735

From: jarrett—fr@leg.wa.gov@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:15pm
 Subject: Microsoft Settlement

I would like to take this opportunity to voice my comments regarding the Microsoft settlement. Microsoft provided immense value to the industry by providing a set of open standards which permitted technology to be applied rather than theory. In this country we use the market to set standards and Microsoft built the standards that worked in the market. I appreciate you taking the time to hear my comments.

Sincerely
 Fred Jarrett
 WA State Representative
 41st Legislative District

MTC-00012736

From: gerry@bgni.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:15pm
 Subject: Microsoft Settlement

I fail to see how consumers are negatively affected—Microsoft has driven the price of software down substantially for consumers. I can see how competitors have been forced to price their products more competitively and/or to become more innovative with their products

MTC-00012737

From: pkedoman@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/16/02 1:15pm
Subject: Microsoft Settlement

In the interest of users of microsoft products investors and taxpayers lets resolve this issue quickly. I am tired of my taxes being used to pay attorneys to stifle innovation.

Pat Doman

MTC-00012738

From: youngww@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/16/02 1:16pm
Subject: Microsoft Settlement

I fully support the settlement and wish to bring the case to an end soon. This is a great chance allow more students using Microsoft software to learn new technology and let US continue stay on top. US gov. can help the looser but now it is too much we don't want to kill a horse and let a donkey win the race.

MTC-00012739

From: smcgregr@swbell.net@inetgw
To: Microsoft ATR
Date: 1/16/02 1:16pm
Subject: Microsoft Settlement

I think the entire lawsuit against MicroSoft was outrageous. It was something out of ATLAS SHRUGGED the government deciding that one man's ideas and products belong to the masses. WRONG my ideas and thoughts are mine. And I am not REQUIRED to share them with anyone. Before I do that I'll go on strike. Had MicroSoft had the sand they should have closed their doors and let the world live without what they developed and their proprietary knowledge and products. But apparently Bill Gates is not John Galt and I never expected him to be. But I think he should have given the world a lesson in how technology would be without MicroSoft's various innovations and research.

MTC-00012740

From: jalsardl@ix.netcom.com@inetgw
To: Microsoft ATR
Date: 1/16/02 1:16pm
Subject: Microsoft Settlement

To be brief: too much valuable time and energy have been spent on a case whose outcome thus far benefits competitors and lawyers in a society that claims to value the competitive process. It sets a most dangerous precedent of intrusion and influence on the conduct of ordinary business affairs.

Realizing that the damage done cannot be undone it is imperative to move on with a compromise solution. The States AGs are presumably free to continue to espouse their position leaving one to hope they will come to recognize its past time to bring a sorry event to an imperfect closure. No comment could be more telling than the foreign press who stand in amazement at the huge

contradiction this trial represents and who also wonder at processes that aim to destroy an economic crown jewel.

Thank you for the opportunity to express this view.

MTC-00012741

From: dfrank@satx.rr.com@inetgw
To: Microsoft ATR
Date: 1/16/02 1:16pm
Subject: Microsoft Settlement

I am strongly in favor of the settlement with Microsoft. It is a company that has been the leading factor in widespread computer use and the internet. I use many but not all of their products because they are the best on the market.

MTC-00012742

From: justinsit@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 1:16pm
Subject: Microsoft Settlement

This case should be ended asap we need leadership to out of the recession.

MTC-00012743

From: gmckibbin@leerlp.com@inetgw
To: Microsoft ATR
Date: 1/16/02 1:16pm
Subject: Microsoft Settlement

The best strength of Microsoft is that despite occasional missteps it methodically plods toward excellence and is more adept at it than most of its competitors. Microsoft has offered solid products at reasonable prices for many years. Microsoft seldom makes protracted missteps and I have confidence that their products will be there for me in the future. Some of Microsoft's competitors have tried to use the courts to undo their failures in the marketplace. It is the end users who ultimately decide who wins based on how a product fulfills their individual value system (features price service etc.). Microsoft does well because it is focused on satisfying end user value systems. Remaining competitively focused is a requirement (not an option) for any company to maintain end user allegiance in the information technology marketplace. It is time for Microsoft's competitors to stop trying to maintain or acquire market share via the courts. If they want to compete for the hearts and minds of the consumer they must do it with attention to their own products.

MTC-00012744

From: jimc@accipio.com@inetgw
To: Microsoft ATR
Date: 1/16/02 1:16pm
Subject: Microsoft Settlement

STOP- It is not too late. . . . As a consumer of Microsoft Products (about 16-17 years) I personally have always found their products to very reasonably priced with adequate support. I have never agreed with my government in its attempt to penalize or to break up MS business. From my advantage point as a consumer it appears that other business in competition with MS finds that using my government as a tool to improve there business is a good thing. This exercise has cost my government lots of money and if continued will probably cost consumers who use MS products more money than if it had been left alone in the first place. I am tired of working hard and paying local/state/

federal/etc./etc.etc TAXES and to watch it wasted on matters of this nature. Stop the Bleeding- appoligize and move on to something that really does effect the consumer—like Judicial system fuel prices energy costs TAXES.

MTC-00012745

From: lem9690@earthlink.net@inetgw
To: Microsoft ATR
Date: 1/16/02 1:16pm
Subject: Microsoft Settlement

I AM TOTALLY OPPOSED TO THE SETTLEMENT TERMS. THE GOVERNMENT HAS ALLOWED ALL OF MICROSOFT'S INVENTIONS TO BE GIVEN TO ANYONE WHO WANTS THEM. THIS IS COMPARABLE TO NOT ONLY SHARING THE PIE BUT BEING FORCED TO GIVE IT ALL AWAY! AT THE VERY LEAST LICENSING FEES SHOULD BE PAID TO MICROSOFT.

MTC-00012746

From: bbradley@cybersol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 1:16pm
Subject: Microsoft Settlement

This is a poor solution at best. The Government should leave Microsoft alone. A free market economy is self regulating. Government interference only makes things worse.

MTC-00012747

From: dbor77@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/16/02 1:16pm
Subject: Microsoft Settlement

I think the justice department should take the settlement and STOP WAISTING TAXPAYERS HARD EARNED MONEY. It seems that Microsoft is being unfairly attacked by the justice department. This is ridiculous. Take the money and leave Microsoft alone. It seems to me that the Justice Department is just trying to get money from Microsoft because Bill Gates is so incredibly wealthy. Why doesn't the Justice Department go after other companies for monopolizing industries?? I'm tired of hearing about this entire situation. Microsoft is not a government run company. It's a private company. Leave them alone already!!

The justice department looks like the bad guy here. If people have a problem with buying Microsoft Windows because it has internet explorer on there and they can't take it off then I say to them DON'T BUY IT! Netscape is readily available. Netscape is just whining because they want a piece of the pie too.

Well they should get out there and work for it just like Microsoft. To Netscape I say QUIT BEING BABIES. .DO YOU WANT SOME CHEESE WITH YOUR WINE? Let's get over it already!! Take what money you are being offered from Microsoft because I think you are lucky your getting anything. I think they shouldn't give you a dime of there HARD EARNED money. The justice department is wasting our HARD EARNED money on this frivolous case. This should have never come this far. It's out of control.

Quit while your ahead.

MTC-00012748

From: sumnerkibbe@clinic.net@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:16pm
 Subject: Microsoft Settlement

Dear Attorney Hesse

Once again I urge you to bring the full force of the Justice Department to effect a positive ruling on the settlement reached between Microsoft and the Federal and State Governments. This attack against one of the most successful enterprises in our country's proud history has gone on much too long drained unestimable resources from needed government activities and severely damaged our nation's economy. Please please bring it to an end now. Bill Gates is no crook but Joel Klein and Janet Reno certainly need close attention.

Regards
 Sumner Kibbe

MTC-00012749

From: pdunn70065@yahoo.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:16pm
 Subject: Microsoft Settlement
 To Whom It May Concern

It seems to me that the important segments of the Microsoft case are in agreement and therefore this issue needs to be ended. It has gone on long enough. I urge Judge Kotelly to approve this settlement.

MTC-00012750

From: ahr6928@msn.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:16pm
 Subject: Microsoft Settlement

Please stop wasting taxpayer money and settle the MSN case already—it appears they have agreed to the court order so what is taking so long?

Thank you—
 a concerned citizen—
 ahr6928@msn.com

MTC-00012751

From: 1157587@concentric.net@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:16pm
 Subject: Microsoft Settlement

Get this settled immediately before more damage can be done to our economy. It is my belief that the real sin was failure to donate enough to the Clonton Era Democrats anyway. Stop this distraction NOW.

MTC-00012752

From: donaldreifus@yahoo.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:16pm
 Subject: Microsoft Settlement

The recent decision against Microsoft is grossly unfair to the co. and should be modified.

MTC-00012753

From: alnbax@juno.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:16pm
 Subject: Microsoft Settlement

Please get gov't off the back of Microsoft! Dismiss this amoral case it is a travesty of justice. Who has done more for the American economy and employees?

MTC-00012754

From: merr-lynn@msn.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:16pm
 Subject: Microsoft Settlement

The remaining States act contrary to the interest of the USA which needs the contributions of MSFT for the improvement of our economy and the maintenance of our technological leadership in the world. A quick settlement is in the public interest.

MTC-00012755

From: e.wormser@worldnet.att.net@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:16pm
 Subject: Microsoft Settlement

I believe the proposed Microsoft settlement puts sufficient restraints on Microsoft. I think it is important that this case be settled and we can get on with it rather than continuing to string it out.

MTC-00012756

From: RichieFKay@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:16pm
 Subject: Microsoft Settlement

Enough is enough!!! The government has been harassing Microsoft Corporation long enough! This company which has created thousands of millionaires among their employees and stockholders deserves to be free of intimidation by Attorneys General and the Justice Department. This company has standardized software codes throughout the growth period of the personal computer industry which has been a tremendous asset to computer users in the government and worldwide. Without the Microsoft standard there would be bedlam! It is time to let this company get back to work!

Sincerely
 Rich Kay

MTC-00012757

From: whineya@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:16pm
 Subject: Microsoft Settlement

I think it's past time to get this travesty of justice behind us. Personally I don't think Microsoft or Bill Gates owes the government anything whatsoever. If it weren't for Mr. Gates and Microsoft common working people would not have computers in their homes. Maybe that's why the government is after him.

If his competitors aren't as good as he is and can't compete he should not be punished for being good at what he does. Why isn't Alex Rodriguez punished for being a good baseball player? If the gov't wants to go after a monopoly they should go after their own Postal Service. That's the biggest monopoly in the world and the most inefficient. In areas where private industry has been allowed to compete with them such as Parcel Post or overnight delivery they have eaten their lunch. These Washington politicians and bureaucrats need to read Atlas Shrugged. We will cease to be a capitalist society if the successful keep being punished for being successful. They will say To hell with it. People like Mr. Gates are a treasure to humanity and should be treated as such

especially by our own government. What would our founding fathers think of this fiasco!

MTC-00012758

From: davindavid@juno.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:16pm
 Subject: Microsoft Settlement

The government allows monopolies to legally exist. Copyrights and patents and laws like the DMCA are government grants to monopoly that are hurting our freedom. Do away with the laws that hurt us. Bring back a free market and genuine capitalism that has allowed us to progress extremely far already but is now being destroyed.

MTC-00012759

From: Lou Leggett
 To: Microsoft ATR
 Date: 1/16/02 1:27pm
 Subject: Conspiracy of 9 State's Attorney
 General Against Microsoft

In my opinion, the 9 AG's attempts to coerce Microsoft, extort money, and inhibit their ability to pursue business in an unfettered fashion, while using the guise of "protecting the consumer" is pure bunk! Other than Microsoft's competitors, to my knowledge, there has been no hue and cry from consumers claiming they were taken advantage of by MS. In fact, it's just the opposite. MS has contributed far more to our progress in software development, the economy and numerous other ways than all of the AG's put together could dream of.

Perhaps you should look into the political aspirations of these 9 AG's as the true reason this case is still alive.

This is a frivolous pursuit and should be duly deposited in file #13.

One man's opinion.

Lou Leggett
 President
 Cortran Int'l, Inc.
 Orlando, FL 32836
 Tel. 407-352-5400
 Fax. 407-352-0320
 copy to: MS

MTC-00012760

From: cwilliambloom
 To: Microsoft ATR
 Date: 1/16/02 1:28pm
 Subject: RE: Microsoft settlement

We read constantly about how Microsoft is more than willing to settle with all concerned in the litigation and still some still want more. The Microsoft company seems to be trying to offer a just settlement and it is beyond belief that some states can't come to terms with their excessive demands.

How long and how far does some of these people want to go before they trash a good company that has given so much to our country and so many people.

It is our hope that all these matters can be settled in due time and in an expedient manner.

C.W. & F. E. Bloomfield
 Everett, WA

MTC-00012761

From: RGreen2829@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 1:40pm

Subject: Microsoft
Settle-settle-SETTLE!!!
RGreen2829@aol.com

MTC-00012762

From: Ken McSwain
To: Microsoft ATR
Date: 1/16/02 1:41pm
Subject: Microsoft Settlement
To whomever it may concern:

As a veteran computer user since 1984, and as a completely satisfied Microsoft product user, I urge the acceptance of Microsoft's offer to settle by providing computers to schools. It will be good for the schools, good for the children, good for the economy, and fair to Microsoft.

The only ones who are complaining, and the consumers never have, are Microsoft's competitors and some soreheads who would rather have money for themselves than computers for the schools. Do not delay this any longer. Our national economy is suffering because of it. Retirees portfolios are suffering because of it. Consumers are happy with it. Settle it now without delay.

Sincerely,
Ken McSwain
719 Kleewood Drive
FULTON MO 65251
(573) 642-0606

MTC-00012763

From: Sam Cranford
To: Microsoft ATR
Date: 1/16/02 1:42pm
Subject: Microsoft Settlement

To whom it may concern, In reading the proposed agreement against Microsoft, I would like to add that I disagree with Provision III. J. It is essential for Microsoft's competitors to have access to the full Windows and Office APIs, and to the file formats for MS Office.

Without these, Microsoft will forever hold the upper hand in developing any application to run on their OS. This has been their key to their monopoly power, their method of devaluing competing products. If the competition could access these two aspects of the OS installed on more than 90% of the worlds PCs, then the world would benefit from more productive, more secure applications without also suffering from intolerable, hostile vendor lock-in. Let's not forget that Microsoft has arrived where they are, both in market share and legal trouble, by abusing their monopoly position. They must be forced to pay a price much higher than the proposed settlement, which will do virtually nothing to right the numerous wrongs that Microsoft has already committed. Only releasing the APIs and file formats will allow significant reversal of the existing monopoly.

Thank you for considering the peoples' proposals,
Sincerely,
Samuel K. Cranford

MTC-00012764

From: robert delaney
To: Microsoft ATR
Date: 1/16/02 1:42pm
Subject: -Loss to the public because the case was filed
Compare this case to the Enron scandal!

Enron took action that sent their price per share to near zero!

Janet Reno filed an unnecessary case against Microsoft and sent their stock prices tumbling!

Government filed a case against big tobacco and sent their stock prices tumbling!

Enron had a lot of power and money!
GOVERNMENT has nearly endless power and money!

YOU tell ME, which has done more damage to the U.S. Citizen!

Get GOVERNMENT off Microsoft's back!
Sincerely,
Robert F. Delaney
Atlanta NE

MTC-00012765

From: Larry Bumgardner
To: Microsoft ATR
Date: 1/16/02 1:37pm
Subject: Microsoft Settlement

Punish Microsoft by requiring them to document ALL their Windows APIs. Do not allow them to keep or use any hidden ones for exclusive use by Microsoft applications.

Additional punishments are certainly called for, but this would put competing application developers on a level playing field and bring some real competition into play.

Disclaimer: I work for a software developer, but we do not develop applications software. . . we do system programming, more tightly related to the Operating system we may be working with, Windows included.

Larry Bumgardner
1203 N Gregson St
Durham, NC 27701
919 676-1991 x137

MTC-00012766

From: Jeremy Lassen
To: Microsoft ATR
Date: 1/16/02 1:50pm
Subject: Microsoft Settlement

I have been an IT professional for 10 years, and have watched the Microsoft Monopoly grow and grow, with no relief in site. Currently, I work at the University of California, San Francisco where I run a number of computer labs. In my duties there, I have seen first hand the heavy handed powers of market coercion that Microsoft wields. Their most recent licensing schemes amount to blackmail, forcing us to pay for twice as much for a software product if we want any chance of having bugs fixed down the road. I have watched for years as Microsoft has abused its monopoly powers and eliminated competing companies from the market, going as far back as MS Dos 3.3 vs DR Dos 4.0.

I would LOVE to deploy competing products, but the threat of file level incompatibilities for their office suite of products, and the threat of changing API's has repeatedly made it impossible for me to do so. From my perspective, the best remedy would be to open up the Windows API, and lock in the office suite file standards, and have a third party technical body, or government agency oversee and approve any extension to these standards.

Thank you for taking my viepoint into account.

Sincerely,
Jeremy Lassen
UCSF Library computing lab Manager

MTC-00012767

From: Gary Dunning
To: Microsoft ATR
Date: 1/16/02 1:59pm
Subject: Anti-Trust

Time to stop the abuse of Government funds and time on the Microsoft anti-trust case. Let enterprise proceed.

MTC-00012768

From: Gem Burke
To: Microsoft ATR, Ron Wyden, Gordon H Smith, Greg Walden. . .

Date: 1/16/02 2:00pm
Subject: Microsoft Settlement
U.S. Department of Justice
601 D Street NW
Suite 1200

Washington, DC 20530-0001
Renata B. Hesse, Antitrust Division
cc Senator Ron Wyden
Senator Gordon Smith
Representative Greg Walden
Attorney General, State of Oregon
1810 Queens Branch Rd.
Rogue River, OR 97537
January 16, 2002

Re: Microsoft Settlement.

My name is Gem Burke and work in the communications industry as an engineer. I do not claim to be a computer expert or geek, although I probably know more about computers & software than the average user. I am simply a user of computers and their software and I would like a statement about the 'Microsoft Settlement?'. I have tried reading at least some of the papers on this action and incorporate that with what seems to be happening in the real world. On this very day, I installed my tax program from Quicken and at the end of it Microsoft's Internet Explorer was installed on my computer. I wasn't asked, it wasn't an option. Then I was asked if I wanted to install AOL. So here it is January 16, 2002 and after all the denials of Microsoft, I'm still getting IE shoved down my throat whether I like it or not. They (Microsoft) are obviously not concerned about anything happening to them in court. This is not the first time Intuit has done this to me and complained to them about this then to no avail.

I could tell you about the site on the internet I logged into that changed all my defaults from Netscape to IE or any of quite a number of other examples of blatant examples of monopolistic behavior but the point I thought important is even on this late date, Microsoft is continuing to muscle out competition confident that it will come through this proceedings unscathed.

I work in the telephone business and one thing for sure, as AT&T was accused of being a monopoly and they were forced to breakup into a dozen smaller companies for anticompetitiveness then, Microsoft should be broken up into 200 smaller companies because not only is Microsoft bigger and stronger, he doesn't even try to hide the fact that he plans to muscle everyone else out. I'm not a lawyer but a blind man could see the blatant anticompetitiveness of Microsoft and

the fact that he can use his resources to beat off anybody including the justice department.

Thank You
Gem Burke

MTC-00012769

From: Mike DeRosa
To: Microsoft ATR
Date: 1/16/02 2:08pm
Subject: regarding the Microsoft Settlement .

I've read that you are accepting comments from personal computer users regarding the Microsoft anti trust case, and I'd like to make one or two, very briefly.

I purchased my first personal computer in 1986, and have owned six others. I understand Microsoft's desire to keep it's programming code secret, but if they are going to supply the operating system for 9 out 10 computers they must be forced to allow users and vendors to have access to the basic parts of that operating system, just as a car owner or mechanic has a right to to know how an internal combustion engine works, and automotive manufacturers have an obligation to provide dealers with manuals and parts. It's almost that simple.

Microsoft's practice of "hiding" parts of their programming code violates anti trust laws and must not be permitted. I don't advocate breaking up the company, I just want to see a level playing field, and forcing Microsoft to document it's "applications programming interface" (API's) would allow truly free enterprise in the software business.

Thank you for listening, and I wish you good luck and wisdom in this very important case.

Mike DeRosa
Audio Rental Manager
Scharff Weisberg, Inc.
a provider of Professional
Multimedia Solutions
599 11th Avenue
NY, NY 10036
miked@swinyc.com

MTC-00012770

From: Clark, Nick
To: Microsoft ATR
Date: 1/16/02 2:09pm
Subject: Microsoft vs. DOJ

It is high time to "get over it" and get on with other business. Utah Attorney General Mark Shurtleff and Massachusetts Attorney General Tom Reilly are blowing smoke up everyone's ass for their own political gains (by going public asking for help to make their cause just). This trial has become a circus event ever since the original judge made his negative views on Microsoft open to discussion. The American justice system is ludicrous when lawyers know how long they can bicker over anything they want not to mention when the courts allow those jackasses the ability to do so. We're spending the money of every states' taxpayers, not just Utah and Massachusetts taxpayers' money.

I ask that everything against Microsoft become settled (finally). Keep an eye on them and when they start to get out of line then smack them. Enough has already been done.

Nick Clark

IT Manager/Consultant
<<http://www.kebcpa.com/html/information-technology.html>>

Kerber, Eck & Braeckel LLP <<http://www.kebcpa.com/>>
Springfield, IL 62701

MTC-00012771

From: Gary Gardner
To: Microsoft ATR
Date: 1/16/02 2:04pm
Subject: PROPOSED SETTLEMENT

I believe the litigation against Microsoft is outrageous and as usual the end result will be that the only individuals benefiting from the case is the lawyers!!!! I firmly believe we should do whatever is necessary to settle this case ASAP. I appreciate the opportunity to have my "individual" voice heard, however, when I really would have appreciated having my voice heard was when the charges were initially brought against Microsoft. Unfortunately, there was no interest at that critical time. If our elected representatives truly value our "voices" let them be heard when it really matters. Asking now is an after thought and it appears some of our representatives are doing some "grandstanding" for their personal political gain. That having been said—let's settle this thing and let our government officials and the American people move on to more important issues!

Ginger Gardner

MTC-00012772

From: James Mitchell Ullman
To: Microsoft ATR
Date: 1/16/02 2:14pm
Subject: Microsoft Settlement
-----BEGIN PGP SIGNED MESSAGE-----

Hash: SHA1

Greetings,

This is not the first time I have emailed this address about the currently proposed settlement between Microsoft and the USDOJ. I am wanting to point out that we are listening and watching and that we feel that they are still trying to stifle competition in the computer industry and crush standards that they do not own or developed themselves.

Please take the time to read this article:
<http://www.theregister.co.uk/content/54/23708.html>

Thank you for your time.

—

James Mitchell Ullman
Technical Specialist I
Zach S. Henderson Library
Georgia Southern University
<http://www2.gasou.edu/facstaff/jmullman>
Office: 912-681-0161

MTC-00012773

From: Leon Boncarosky
To: Microsoft ATR
Date: 1/16/02 2:16pm
Subject: Microsoft Settlement
21 Fineview Road
Camp Hill, PA 17011-8447
January 16, 2002

Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Ashcroft:

I would like to give you my comments on the Microsoft anti-trust case. This three-year case has had a debilitating effect on one of

our nation's most outstanding companies, on the nation's technology sector, and on our economy. I recommend that you indorse the proposed settlement plan. The plan is fair, Microsoft will retain its present corporate configuration and be allowed to become more productive, and the Justice Department will now have an oversight responsibility to ensure that Microsoft does not return to its prior alleged anti-trust activities. Microsoft's competitors will now have access to its technology and Windows platforms. This is a fair and workable compromise.

I believe it's in the best interests of our country to end this litigation. Please work to that end.

Sincerely,

Leon D. Boncarosky

cc: Senator Rick Santorum

MTC-00012774

From: Robert.Cheetham@radisys.com@inetgw
To: Microsoft ATR
Date: 1/16/02 11:16am
Subject: Microsoft Settlement

I feel Microsoft should not benefit from having broken anti-trust law. It has abused its monopoly position, and as a direct result MS Windows is ubiquitous on the desktop. This may or may not have been good for the consumer but we'll never have to opportunity to know what might have been if MS had not been so (unfairly) dominant.

Remedies. I think that if product support is going to be discontinued then (windows 3.11, windows 95, etc.) then MS should be forced to release the source code for the discontinued product either to the public domain or to a separate company charged with providing support. I feel it is unreasonable to force consumers (whether private or corporate) to buy product upgrades merely to maintain there current application. If Ford or GM refused to provide parts for, or allow 3rd party companies to service discontinued automobiles there would be public outrage.

Robert Cheetham
RadiSys Corporation
5959 Corporate Drive
Houston
TX 77546
713-541-8267

MTC-00012775

From: Speare, Geoff
To: 'Microsoft.atr(a)usdoj.gov'
Date: 1/16/02 2:17pm
Subject: Microsoft Settlement

To Whom it May Concern,

This will be a short letter, as I'm sure you have many to go through. Let me say up front that as a computer user, programmer, and IT professional, I feel very strongly that the proposed Microsoft Settlement will do nothing to punish past monopolistic practices, or to prevent future violations of anti-trust law.

Most importantly, what the settlement fails to address is that Microsoft is /already/ entrenched in a dominant, monopolistic position, achieved in large part through unfair business practices. Creating a Technical Committee may (or may not) help with future problems, but does nothing to fix what has already transpired.

Lastly (for this letter; I do not pretend that I am addressing a majority of the problems with the settlement), I would point out that much of Microsoft's monopoly is maintained through mechanisms not mentioned in the settlement. For example, Microsoft Word is the dominant word processing software mainly because it's file format is proprietary and controlled by Microsoft—and changed frequently, so that no other program can reliably use it. If a standard file format were enforced, competing products would have a chance to co-exist and interoperate with Word; something that just cannot happen today.

I urge you in the strongest possible terms to reject this settlement and seek stronger action against Microsoft.

Geoff Speare
speareg@apci.com

MTC-00012776

From: naayaan
To: Microsoft ATR
Date: 1/16/02 2:22pm
Subject: My view As a consumer As well As Stockholder.

TO WHOM SO IT MAY CONCERN

Hon. Attorney General,

The Microsoft lawsuit should settle as soon as possible. I understand that management harmed Netscape but that corporation was sold at premium. Now in future we should have better government oversight that nor microsoft or any large corporation harmed emerging corporation, or individual enterprenurship in this country which is good for the country. At the sametime this country is becoming litigatig society which harms corpoation like Microsoft, Physicians, Consulting firms or any small or large business that harms the nation. We are producing more attornys at the cost of innovation, enterprenurship, small and large businesses and scientist and technologist. this litigating society will be the downfall of U.S.A .

Therefore, settelment is the best interest for the country and we can progress.

Sincerely,
NAYAN DALAL.

MTC-00012777

From: michael govern
To: Microsoft ATR
Date: 1/16/02 2:17pm
Subject: Microsoft Settlement

When you pay less than \$100 for an OS that will last the life of the PC, I'd say that is a good deal. The No Justice Department should have been on alert to the likes of Enron instead of Microsoft for all of these years.

MTC-00012778

From: Charles LeDuc
To: Microsoft ATR
Date: 1/16/02 2:20pm
Subject: Microsoft Settlement

I encourage the U.S. Department of Justice to protect the interests of the citizens of this country and continue prosecuting the antitrust case against Microsoft. We've already achieved victory against Microsoft on this case: now is not the time to abandon it. A settlement at this point amounts to a

political payoff to a major supporter of the new administration.

Sincerely,
Charles LeDuc
2738 Fairlane Dr.
Doraville, GA 30340
charleseleduc@hotmail.com

MTC-00012779

From: Robert Schroeder
To: Microsoft ATR
Date: 1/16/02 2:20pm
Subject: Microsoft Settlement

I am a software developer, that has worked with Microsoft products as well as on the java platform. It seems to me that there is an enormous misunderstanding of the software industry and an outdated use of the antitrust law. There are new issues that were left completely unaddressd as far as I can tell, and now it appears that this costly trial is taking another bad turn.

The overwhelming factor in Microsoft's 'monopoly' is the so-called network effect, something they took advantage of by being the most attractive to buyers. It is a natural state for Software Operating Systems. The consumers are much better off if most people use a single operating system, and most developers can code to a single api, as coding for two almost doubles the work.

Some are suggesting that Microsoft's API should then be locked down, so other people can copy it. There are several reasons that this is a bad idea. That API is changing, or rather, growing as quickly as the software industry is progressing, which at this moment is bigger than it ever has in any period in the past (and much bigger than the during the .com vaporware era). Microsoft needs to update its software to reflect this, and they need to do that quickly, and for a variety of reasons. It is also important that they are able to fix poor design, something they should finally be able to do with the versioning built into their new software.

By all means have Microsoft hire a special overseer to make sure they are in compliance, but please do not hamstring the software industry in the process. We are suffering enough in this economy as it is.

Thank you,
Robert Schroeder
5438 California Street
San Francisco, CA 94118
(415) 876-4151

MTC-00012780

From: Don Weide
To: Microsoft ATR
Date: 1/16/02 2:22pm
Subject: Microsoft Settlement

Please work for an early settlement of the Microsoft dispute, rather than continual, endless litigation, which will increase the cost of software to the consumers and further enrich the lawyers involved.

I have used many Microsoft products and I feel the company has treated me fairly. I am especially pleased to see that under the proposed settlement, Microsoft would have given disadvantaged public schools over \$1 billion in funding, software, services and training.

I feel that punishing those most successful is contrary to what has made our nation

unique and great. As a member of "The greatest generation", and still self employed at age 83, please conclude this long overdue problem and help our nation recover from its recent shock-wave.

A rapid and fair settlement is certainly preferable to protracted litigation.

God Bless America
Major Don O. Weide, USMCR(ret)

MTC-00012781

From: jasonasbahr@mac.com@inetgw
To: Microsoft ATR
Date: 1/16/02 2:23pm
Subject: Microsoft Settlement

Honorables,

It has come to my attention that Microsoft has recently acquired fundamental patents for 3D graphics technology and techniques from SGI. This is a dangerous situation, as it grants Microsoft significant leverage over the independent 3D hardware manufacturers who are currently supporting the only rival to Microsoft's Direct3D graphics API, OpenGL.

Microsoft has in the past worked to delay and distract advances in 3D graphics technology, such as in the abortive "Fahrenheit" plan with SGI in the 1990s. During that period, SGI was transitioning from selling Unix-only workstations to begin selling workstations running Microsoft's Windows NT. At the same time, OpenGL was gaining on Microsoft's Direct3D in terms of features, hardware support, and developer support. If SGI wanted to sell NT boxes, SGI would have to agree to the Fahrenheit plan. The perfectly timed Fahrenheit deal slowed that advance of OpenGL by, among other things, reducing SGI's active promotion of it, and allowed Microsoft's Direct3D to gain a strong lead. Yet OpenGL support still survived due to the interest of software developers and the support of third party 3D hardware manufacturers. This latest move by Microsoft to acquire core 3D technology patents would finish the hatchet job, granting Microsoft the power to force third party 3D hardware manufacturers to drop support for OpenGL, and ultimately stifle competition and innovation in the marketplace.

Please do not let this come to pass.

Thank you,
Jason Asbahr
Game Developer

MTC-00012782

From: MTLJR5@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 2:25pm
Subject: Microsoft Settlement

To Whom It May Concern,

I am in favor of the proposed antitrust settlement in the Microsoft case. The provisions of the agreement are reasonable, fair to all parties involved, and go beyond the findings of Court of Appeals ruling. Enough time and expense have been put toward this litigation, let move beyond it.

T.J. McDonald
Louisville, KY

MTC-00012783

From: Steve Heaney
To: Microsoft ATR
Date: 1/16/02 2:28pm
Subject: Microsoft Settlement

To whom it may concern,

As a US citizen and a member of the high tech industry (I work as a computer consultant) I am more than tired of the Anti-trust case brought by the US government against Microsoft. My understanding of the current settlement is that it is more than fair to all parties involved. The government needs to move to get it finished. The 9 states that are holding out are clearly doing so in their and a few of their constituents best interest. The court system in the US is not designed to be used as a method by some companies to hamstring an able competitor! That would be unfair business practice. . . and yet that is exactly what has been happening. Settle the case and get the hell off of Microsoft's back!!!

Thanks

Steve Heaney
Houston Texas.

MTC-00012784

From: bhiron@lsuhsc.edu@inetgw

To: Microsoft ATR

Date: 1/16/02 2:26pm

Subject: Microsoft Settlement

To Whom It May Concern:

As a citizen I am very concerned about Microsoft's ability to continue to function as a monopoly in the software and operating system markets. I strongly urge the DOJ to pursue the complete disclosure and public documentation of all Windows API function and parameters and file format specifications for its Office software. Allowing Microsoft to maintain this information as secret is limiting the competitiveness of the software markets and hurting consumers.

Also, I urge the DOJ to force Microsoft to stop forcing computer system distributors and marketers into a restrictive licensing policy. Microsofts current licensing policy is limiting consumer choice and market competition. Computer distributors must be allowed to provide consumers with a choice at the point of sale, to market computers with alternative Operating Systems in a possible multi-boot environment.

Budd Hirons.

MTC-00012785

From: TRAN, QUYNH

To: 'microsoft.atr(a)usdoj.gov'

Date: 1/16/02 2:36pm

Subject: Microsoft Settlement

<http://www.salon.com/tech/col/rose/2002/01/16/competition/index1.html>

MTC-00012786

From: Mark Walsh

To: Microsoft ATR

Date: 1/16/02 2:29pm

Subject: Microsoft Settlement

184 Riley Street

Dundee, MI 48131-1069

January 16, 2002

Attorney General John Ashcroft

US Department of Justice,

950 Pennsylvania Avenue, NW

Washington, DC 20530-0001

Dear Sir:

As I read more about the Microsoft settlement, I can't help but think that the government has more important issues to focus on. While there are intense international problems brewing daily, we

spend more resources on litigation against the free market in America. Not only has Microsoft been extremely helpful in many areas, but they have also made a great deal of concessions in this recent agreement with the intent of moving forward.

Having grown up with a father that was blind, I have been particularly impressed by the work that Microsoft has done with the handicapped. Microsoft helped to enrich my father's life and always bent over backwards to provide assistance when needed. Without Microsoft's innovations my father would have never been able to use a computer. They provide help in so many areas and for so many causes, and people tend to miss hearing about these issues. Now that Microsoft has been under fire, they again have agreed to work with the IT sector in moving on and holding our place in the global market. They have agreed to make changes in licensing, marketing and even design. On top of this, they have agreed to be monitored by a committee the entire time. This is definitely a step toward a more unified IT sector. Please help Microsoft provide users with superior products by continuing to innovate in this highly competitive global market. Let us support this settlement and help our technology industry get back to business.

At stake is the USA's position as the number one technology innovator in the world. This is part of what makes America great, and why my father, whose blindness was caused by exposure during the Manhattan Project, appreciated the attention Microsoft gave to his needs.

My biggest fear is the needs of actual users have been subjugated to the wants of greedy competitors who rather spend money on litigation and lobbying than research & development.

Sincerely,
Mark Walsh

MTC-00012787

From: Delmar Knudson

To: Microsoft ATR

Date: 1/16/02 2:31pm

Subject: Microsoft Settlement

I am very much against the microsoft proposal that they give their old equipment to schools across the country and thereby hurt their competition unfairly again.

I have nothing against Microsoft donating a huge amount of software to charitable organizations in countries that can't afford any equipment whatsoever (like Afghanistan).

Delmar H. Knudson, M.D.

1313 Williams St. #1005

Denver, CO. 80218

delknudson@earthlink.net

MTC-00012788

From: Ruthupaige@aol.com@inetgw

To: Microsoft ATR

Date: 1/16/02 2:35pm

Subject: Microsoft Settlement

To the Department of Justice:

We support the provisions of the proposed antitrust settlement. They are fair and reasonable and well appreciated by consumers. Only competitors oppose the settlement, and it appears to us that they

blame Microsoft because they themselves weren't stronger and more effective competitors. They seem to be shifting blame, and in the process have already hurt consumers. Please complete the proposed settlement agreement. Consumers like the agreement.

Thank You.

Ruth and Al Paige.

ruthupaige@aol.com, mamboabp@aol.com

MTC-00012789

From: ralph

To: Microsoft ATR

Date: 1/16/02 2:35pm

Subject: Microsoft Settlement . . . about time !

Hi Folks

several thoughts on settlement with Micro Soft funny how it seems sometimes GOV has stifled entrepreneurship funny how overzealous anti trust people can create no win situations

I'm glad there is a settlement

And the lawyers get richer.

thank you

Ralph Reeder

MTC-00012790

From: Neils Christoffersen

To: Microsoft ATR

Date: 1/16/02 2:34pm

Subject: Microsoft Settlement

I'm writing to voice my concern about the Microsoft Settlement. Let me give you a little background about myself first. I'm currently a Senior pursuing a B.S. in Computer Science at a university in South Dakota. I am also employed at a local dot-com company, where I design and develop applications for the web.

The activities of MS in recent years is extremely disturbing to me and my colleagues. The company has repeatedly taken action to force smaller companies out of their respected markets. The latest turn of events came when MS bought many of SGI's 3D patents. Big deal you say. Well, this basically allows them to lock up these technologies, not licensing them to hardware companies that don't agree with MS. This could spell bad news for any company who sells non-DirectX products.

Of even more concern is the continually lack of security in Microsoft's products. The first that comes to mind is Internet Information Services (IIS). Since it's initial release, IIS has had several huge security flaws, and even more minor ones. Last I checked they were averaging about 2 new bugs being discovered every month. These bugs range from ones that allow web users to see the (proprietary) code behind a web site [code that could contain sensitive information, such as passwords, code which should not be seen by the public] to one that allowed IIS to become infected with a virus, and constantly search for new victims. The only way to avoid these security faults now is to constantly keep up with updates released by Microsoft. Now, I only maintain a couple of machines with MS software installed on them, and it's a pain to keep up on the latest patches and fixes. I can't imagine hosting a data center with potentially thousands of computers and having to continually update them.

THIS IS UNACCEPTABLE!

I ask you, no, beg you, to not give Microsoft another slap on the wrist. A fine is nothing to this company.

Thanks for your time.

Neils Christoffersen

<nchristof@CreditSoup.com>

CreditSoup Development

http://www.CreditSoup.com/

MTC-00012791

From: TLede5555@aol.com@inetgw

To: Microsoft ATR

Date: 1/16/02 2:37pm

Subject: Microsoft Settlement

As a consumer I feel I have received nothing but benefits and value from Microsoft Corp. I also feel that all these lawsuits are the results of the lobbying power of Microsoft competitors and are just sour grapes.

Tim Lederle

MTC-00012792

From: Chris LeFebvre

To: 'Microsoft.atr(a)usdoj.gov'

Date: 1/16/02 2:37pm

Subject: Microsoft Anti-Trust Settlement

Dear Sir:

In regards to the DOJ's case against Microsoft. I've been in the PC software and hardware business since there was a PC and I've seen Microsoft break or bend to the breaking point every agreement they've ever had with the government and all the while driving competitors out of business and stifling any vision of innovation but their own. Also making unilateral changes to their end user and corporate license agreements that are nothing short of Orwellian and all the while foisting bug ridden software with major security flaws off on the unwitting public. With it's millions / billions of dollars in revenue annually Microsoft has gotten to be a law unto itself with no regard for the consumer or in many cases the government since it feels no compunction about breaking prior agreements when it suits the Microsoft Management. I would ask you not to settle for a simple slap on the wrist, I truly believe that breaking up Microsoft would not work to the benefit of the consumer or address the issues that have brought us to this point. I would think that strong oversight by knowledgeable independent industry leaders who could take immediate action should Microsoft break any of their agreements or show further wrong doing would be the best course of action.

Sincerely,

Chris LeFebvre

Programmer & Consultant

MTC-00012793

From: Daniel Raymer

To: 'Microsoft.atr(a)usdoj.gov'

Date: 1/16/02 2:42pm

Subject: Microsoft Settlement

It is in no doubt that Microsoft is a very strong monopoly. But the terms of the settlement for their actions as such leave much to be desired. In essence, to the common man, it is like being caught robbing a bank, being told not to do it again, and then let off the hook. These actions cannot go unpunished. Microsoft continues to strong arm consumers even to this day. If I ask to buy a Dell computer with no OS on it, I still

have to pay for a Microsoft OS license even though I do not get one. If I ask for Mozilla, Opera, or Netscape web browser to be installed instead of Internet Explorer, I cannot get those choices. In the home PC market where MS holds 95% of the OS market, I am not allowed a choice. When a choice does appear, i.e. using DR-DOS 7 or Linux, Microsoft refuses to allow a large amount of software to run on it. Between Windows, Office, and Internet Explorer, I am forced to stay with MS because of my lack of choice elsewhere. Please do something that is more applicable to this situation. The punishment should fit the crime.

Daniel Raymer

Unix Systems Administrator

InterCall

Desk: 706-634-4396

Fax: 706-634-3807

PCS: 706-773-1416

draymer@intercall.com

MTC-00012794

From: White David

To: 'Microsoft.atr(a)usdoj.gov'

Date: 1/16/02 2:39pm

Subject: Microsoft poised to extend its monopoly

To whom it may concern:

With the bid to purchase \$63M worth of SGI's intellectual property, Microsoft will soon be in the position to force graphics card vendors to drop support for OpenGL. Currently, OpenGL is the only graphics API truly competing against Microsoft's DirectX. If Microsoft is allowed to effectively crush OpenGL, then Microsoft's monopoly will be extended yet again. As a voting constituent, I urge you to block/disallow the proposed purchase by Microsoft of SGI's APIs.

Concerned,

David White

David White

dave@cadant.com

MTC-00012795

From: Chris Stewart

To: Microsoft ATR

Date: 1/16/02 2:41pm

Subject: Microsoft Settlement

Please do not let Microsoft destroy our way of computing. Microsoft hurts Java technology which in turn hurts many hundreds of thousands of Java developers. Just because they want developers to migrate to their way of programming. Please do not let them continue their malicious ways. I do not wish to see Microsoft out of business. Unlike Bill Gates, I like to see competitive business. I want Microsoft to play by the rules and not bully everyone around so they will conform.

Chris Stewart

MTC-00012796

From: Gofferbill@aol.com@inetgw

To: Microsoft ATR

Date: 1/16/02 2:47pm

Subject: Settlement

We believe it is time to settle this matter that has dragged on too long. The settlement under consideration seems appropriate and fair to all parties.

Bill & Donna Yaw

Palm Desert, Ca

MTC-00012797

From: BESTEFAR99@aol.com@inetgw

To: Microsoft ATR

Date: 1/16/02 2:47pm

Subject: Microsoft Settlement

I feel sorry that the litigants of this trial cannot keep up with the advances made by Microsoft, but when has it been in the public interest for any government body in this country to intervene in private enterprise. I can understand it when natural resources are involved but in the case where a company is providing products that can and are being duplicated in other forms then let them compete.

C.H. Schmol

MTC-00012798

From: Larry Slavicek

To: Microsoft ATR

Date: 1/16/02 2:54pm

Subject: Microsoft Settlement

The Justice Department should have NEVER prosecuted Microsoft. The case should be closed without further penalties.

Lawrence Slavicek

West Chicago, IL

MTC-00012799

From: Richard Driscoll

To: Microsoft ATR

Date: 1/16/02 3:00pm

Subject: Microsoft

Please permit the following to be entered as part of the public comment period concerning the Microsoft case. As the director of a small, not-for-profit arts council, I must always watch the bottom line. It has been my feeling for a number of years that Microsoft forces me into an all-or-nothing deal every time I must make careful consideration of my agency's evolving technology needs. I am forced to buy what I do not need and, at the peril of compromising a very imbedded operating system, compelled to remove those unwanted programs in order not to have my hard drive uselessly gobbled up.

Please consider seriously the following constraints upon Microsoft:

1. Prevent an extension of Microsoft's monopoly by placing Microsoft products as extra-cost options in the purchase of new computers, so that the user who does not wish to purchase them is not forced to do so.

2. The specifications of Microsoft's present and future document file formats must be made public, so that documents created in Microsoft applications may be read by programs from other makers, on Microsoft's or other operating systems.

3. Any Microsoft networking protocols must be published in full and approved by an independent network protocol body.

Thank you.

Richard G. Driscoll

Executive Director

Community Arts Partnership

116 North Cayuga Street

Ithaca, NY 14850

607-273-5072 (w), 273-4816 (f)

www.artspartner.org

www.ithacaevents.com

MTC-00012800

From: LBlaze4610@aol.com@inetgw

To: Microsoft ATR
Date: 1/16/02 3:03pm
Subject: Microsoft Settlement

Please maintain the government's settlement with Microsoft as already decided. Keeping this case open serves no useful purpose for Microsoft shareholders or the general populace. It's in the best interests of all concerned to honor the settlement that has been made and move forward from here.

Thank you.

MTC-00012801

From: John A. Ouzts
To: Microsoft ATR
Date: 1/16/02 3:05pm
Subject: Microsoft Settlement

Windows is a stultifying monopoly. Open up the Windows APIs.

Then go after Microsoft's illegally gotten, excessive retained earnings.

John Ouzts

MTC-00012802

From: London.Crockett@scottforesman.com@inetgw
To: Microsoft ATR
Date: 1/16/02 3:06pm
Subject: microsoft settlement

I am quite troubled by the proposed settlement to the Microsoft case. It appears to do little to actually restrain Microsoft's flagrantly anticompetitive and monopolistic practices, nor remedy the damage done to consumers and Microsoft's competitors. Worst of all, it appears to me to offer Microsoft little reason to comply with the already meager punishment the settlement demands.

I hope that the court will consider remedies that have the teeth to get the job done so that the software industry can become a truly competitive environment which routinely births innovative, interesting and useful products without fear of Microsoft "embracing and extending" Windows to shut out the real innovators from their innovations. Already, even in the shadow of the judgement ruling that Microsoft is a monopoly, Microsoft appears to be on verge of forcing its way into control over the Internet media market, effectively killing the innovative products from Real and Apple. One has to wonder if anyone will bother developing the truly interesting new applications which have driven our economy over the last decade if their efforts will soon be overwhelmed by Microsofts predatory practices. I hope the court will prevent that from happening.

Salon.com's Scott Rosenberg has written an interesting article on the case, in which he proposes that Microsoft be required to release its all of its APIs so that competitors can make functional competing products (see: <http://www.salon.com/tech/col/rose/2002/01/16/competition/index.html>). His argument makes sense to me.

Thank you for your time.

London Crockett

(This email does not necessarily reflect the views and opinions of my employer)

MTC-00012803

From: Chris Durant
To: Microsoft ATR
Date: 1/16/02 3:06pm

Subject: Microsoft Settlement

Dear Mr. Ashcroft: I believe strongly that the Microsoft Corporation is one of America's greatest assets. It is a company that provides constantly improving products that help make tens of millions of people more productive, happier, and richer. We live in an increasingly global economy. When the U.S. Government attacks and tries to cripple a domestic company that has become "too" successful, there is no shortage of foreign competition that will gladly step in to take market share, unencumbered by governments with beliefs in forced "equality" between corporations, regardless of the value or contributions that the companies make. Microsoft has never harmed me. Its products have enhanced my life tremendously. If Microsoft is a monopoly, why does it continually improve its products and lower its prices? For the good of the American economy and consumers everywhere, please settle with Microsoft as soon as possible. Doesn't the U.S. Government have better things to do than fight one of the best things that has ever happened to this country?

Sincerely,

MTC-00012804

From: AMYNLARRY@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 3:07pm
Subject: Microsoft Settlement

Dear DOJ,

I am writing this as a citizen concerned with the economy of this country. Please settle the antitrust suit as quickly as possible and let Microsoft get back to doing the business that they do best.

Also, any attorney generals that want to drag this out any longer should be reminded to listen to the people of their states. I am ashamed that Wisconsin attorney general Doyle let his greed get in the way of common sense.

Sincerely,
Lawrence M. Kolden

MTC-00012805

From: william frankl
To: microsoft.atr@usdoj.gov.?@inetgw
Date: 1/16/02 3:08pm
Subject: Microsoft dttlement.
To: Department of Justice:
SETTLE!!! Get off Microsoft's back and let our high-tech economy recover!!!
William S.Frankl, MD
536 Moreno Road
Wynnewood, PA.19096

MTC-00012806

From: Charlie Rehor
To: Microsoft ATR
Date: 1/16/02 2:58pm
Subject: Microsoft Settlement

Honorables,

It has come to my attention that Microsoft has recently acquired fundamental patents for 3D graphics technology and techniques from SGI. This is a dangerous situation, as it grants Microsoft significant leverage over the independent 3D hardware manufacturers who are currently supporting the only rival to Microsoft's Direct3D graphics API, OpenGL.

Microsoft has in the past worked to delay and distract advances in 3D graphics

technology, such as in the abortive "Fahrenheit" plan with SGI in the 1990s. During that period, SGI was transitioning from selling Unix-only workstations to begin selling workstations running Microsoft's Windows NT. At the same time, OpenGL was gaining on Microsoft's Direct3D in terms of features, hardware support, and developer support. If SGI wanted to sell NT boxes, SGI would have to agree to the Fahrenheit plan. The perfectly timed Fahrenheit deal slowed that advance of OpenGL by, among other things, reducing SGI's active promotion of it, and allowed Microsoft's Direct3D to gain a strong lead.

Yet OpenGL support still survived due to the interest of software developers and the support of third party 3D hardware manufacturers. This latest move by Microsoft to acquire core 3D technology patents would finish the hatchet job, granting Microsoft the power to force third party 3D hardware manufacturers to drop support for OpenGL, and ultimately stifle competition and innovation in the marketplace. This is just one more example of Microsoft's monopoly power, which will not be curtailed in any reasonable way by the government's (gift) settlement. Microsoft is a convicted monopolist, and should be punished both for the actions for which they have been convicted, and to prevent future abuses.

Thank you,

Charlie Rehor

MTC-00012807

From: Mr. RaggySocks
To: Microsoft ATR
Date: 1/16/02 3:12pm
Subject: Microsoft settlement is weak

Dear Honorable Sirs/Madam:

I am not opposed to all things Microsoft. However, time and again, I feel that I have been harmed as a user, a developer, and an administrator by Microsoft's practices in protecting its desktop monopoly and leveraging it to other markets.

Microsoft has a history of preventing other software from working properly with its operating system. DR-DOS is a notable example. And any user can also tell you how their Netscape, or Realplayer or any other piece of software that Microsoft competes with, suddenly fails to work after they have installed a Windows update.

Microsoft's abuse of its monopoly eliminated choice long ago, and it is now difficult to find a competitive product. Due to this, I am skeptical of the efficacy of the proposed revised final settlement. I also feel that the revised final settlement isn't effective in preventing Microsoft from further leveraging its desktop monopoly. I do not oppose Microsoft's .Net initiatives, as the competition will be useful in forcing both .Net and Java 2 Enterprise Edition to improve. But allowing them to integrate their efforts with their desktop monopoly feels like a mistake.

When AT&T was broken up, there weren't any competitors left in its market. The act of splitting AT&T created competition instantly. In the same way, the barrier to entry is high in all markets tangential to the PC desktop and I believe the situation warrants a similar remedy.

Since the possibility of a breakup of Microsoft has surfaced, many critics have stated that Microsoft is the engine of the technology economy. However, recent evidence shows that the economic impact of a breakup will not be catastrophic. Windows XP has not, and is not, going to jumpstart the economy.

I believe a key benefit of splitting up Microsoft is the elimination of their monopoly on the desktop. Ensure that the companies follow a reference standard that they agree to. Allow them to add functionality so long as it doesn't interfere with their reference standard for the operating system. In this way, they can be forced to adhere to standards and to create compatible systems. This will create competition, fostering innovation, and benefiting customers while minimizing harm.

Though I doubt that a breakup will be agreed upon, I must insist that the current proposal does not go far enough to protect customers.

Thank you for the opportunity to comment on this case.

Sincerely,
S. Cheng

MTC-00012808

From: Polkad@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 3:11pm
Subject: MSFT Settlement

Dear Sirs:

My perspective is that litigation should cease. Our economy needs encouragement, improvisation, with innovation, not litigation that drags on. As a retired teacher, I do not like the fact that today's children are being denied the generous supply of software & hardware that MSFT is willing to supply our schools.

Sincerely,
Dorothy Seay

MTC-00012809

From: Robert Boggs
To: Microsoft ATR
Date: 1/16/02 3:14pm
Subject: Microsoft Settlement

Honorable, Microsoft has repeatedly abused its position in the software market to further its own agendas. The release of products such as the latest versions of both Windows and Office only look to continue this pattern of predatory behavior. Through the use of proprietary file formats and forced incompatibilities with older versions of the same software, they force users to upgrade when doing so might otherwise be unnecessary.

In addition, Microsoft has recently acquired the patents to several key features in of the Open GL architecture, a 3D graphics technology. Considering Microsoft's pattern of behavior regarding technologies that are superior to its own, (Embrace, extend, or extinguish) this situation is potentially dangerous. Dangerous because it grants Microsoft significant leverage over the independent 3D hardware manufacturers who are currently supporting the only rival to Microsoft's Direct3D graphics API, OpenGL.

In the past, Microsoft has attempted to modify other technologies to suit its own

needs and at the same time lock out potential competition. A good example of this is the attempt to modify Sun's Java. If you recall, Sun won that case against them and Microsoft, rather than support Java as it was intended, has dropped in-house development of it altogether. The results of this are yet to be seen, but many third party developers are second guessing their need to support an important technology like Java because Microsoft no longer is.

There are many other examples of this behavior that cannot be overlooked, but would take pages to cover in any depth. So I will leave you with those two and advise you to look to Open source and alternative software advocacy sites for more evidence as there is a great deal of evidence to be found in the case against Microsoft.

As an IT professional, I urge you to not take this case too lightly and let them off with a simple slap on the wrist.

Thank you
Robert Boggs.

MTC-00012810

From: Sylvia Moestl
To: Microsoft ATR
Date: 1/16/02 3:08pm
Subject: Microsoft Settlement

The Microsoft case should be settled already. It's already caused more than enough disruption for the economy, and a fast settlement is what we need now.

Regards,
Sylvia Moestl

MTC-00012811

From: jabien
To: Microsoft ATR
Date: 1/16/02 3:13pm
Subject: let settlement stand

As a voting tax payer I am putting my two cents worth in on the Justice Department and Microsoft settlement. The parties that worked out this settlement have already put 4 years into it. So let it stand and we can move on. Just because some states can not agree does not mean it is not a good agreement. It seems to me the states that are not in agreement do have another agenda besides protecting the consumer. When the state of California is willing to do the financial backing of the other states in order to carry this on, and California happens to be the home state of Sun and Oracle. I do question where the attorney general offices of those states interest really lies. In the time of budget short falls is the average tax payer aware of where their tax dollars are going. When you read in the paper that California is the only state that has allowed a Class Action Law Suit from being settled that would have benefited the poor school district. And the fact that class action law suits only benefit the lawyers. The average buyer of Microsoft software would get just 10.00 back if the lawyers have their way. The whole idea of carrying on with the legal entanglement does not make common sense.

MTC-00012812

From: Betty J Huckestein
To: Microsoft ATR
Date: 1/16/02 3:14pm
Subject: Microsoft settlement

Gentlemen:

Please agree to a Microsoft settlement. Let this wonderful American Company get on with it's corporate life. Microsoft has done more for the PC user than anyone else. They should be commended, not harassed. Let's settle this and let them get on with their business.

Sincerely
Betty & Dick Huckestein

MTC-00012813

From: George Hagerty
To: Microsoft ATR
Date: 1/16/02 3:18pm
Subject: Microsoft Settlement

Dear Sir or Madam:

I am writing in favor of the settlement the Dept. of Justice has reached with Microsoft. I am a self-employed CPA and a Microsoft shareholder. I have followed the case closely over the last several years. During this time, I have read the trial transcripts, the briefs, the court opinions, and most other commentary on the case.

In my opinion, the proposed settlement closely mirrors the Court of Appeals decision and makes reasonable inferences on how the Court would rule on things it did not consider. I especially like Assistant Attorney General Charles James's recent comment to the Senate Judiciary Committee about how a mythology has grown up about this case. The Court found violations, but many other claimed violations were thrown out. The proposed settlement of the nine litigating states, in contrast, bears no relation to the Court's decision, and simply seems to want to destroy Microsoft.

George E. Hagerty
George Hagerty & Company
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Jericho, NY 11753
<http://www.georgehagertyco.com/>
(516) 942-8520
Fax (516) 932-6050

MTC-00012814

From: Luminescent
To: Microsoft ATR
Date: 1/16/02 3:20pm
Subject: Microsoft Settlement

Honorables,

It has come to my attention that Microsoft has recently acquired fundamental patents for 3D graphics technology and techniques from SGI. This is a dangerous situation, as it grants Microsoft significant leverage over the independent 3D hardware manufacturers who are currently supporting the only rival to Microsoft's Direct3D graphics API, OpenGL.

Microsoft has in the past worked to delay and distract advances in 3D graphics technology, such as in the abortive "Fahrenheit" plan with SGI in the 1990s. During that period, SGI was transitioning from selling Unix-only workstations to begin selling workstations running Microsoft's Windows NT. At the same time, OpenGL was gaining on Microsoft's Direct3D in terms of features, hardware support, and developer support. If SGI wanted to sell NT boxes, SGI would have to agree to the Fahrenheit plan. The perfectly timed Fahrenheit deal slowed that advance of OpenGL by, among other things, reducing SGI's active promotion of it,

and allowed Microsoft's Direct3D to gain a strong lead.

Yet OpenGL support still survived due to the interest of software developers and the support of third party 3D hardware manufacturers. This latest move by Microsoft to acquire core 3D technology patents would finish the hatchet job, granting Microsoft the power to force third party 3D hardware manufacturers to drop support for OpenGL, and ultimately stifle competition and innovation in the marketplace.

Please do not let this come to pass.

Thank you,
Chris Nelson
Game Developer

MTC-00012815

From: Peter J. Cacioppi
To: Microsoft ATR
Date: 1/16/02 3:23pm
Subject: Microsoft Settlement

Dear Sirs

I forward the following Scott Rosenberg article from Salon.com. I agree with it entirely.

Jan. 16, 2002] The personal computer industry may be in its worst slump in history, but you wouldn't know it by following the news from the processor wars. Over the past two years, Intel and AMD have unleashed an incredible competitive cycle in Silicon Valley. In case you missed it, last week these two chip companies offered dueling releases of new flagship processors: Intel unveiled its fastest Pentium 4 yet, running at 2.2 gigahertz and built with a new .13 micron process that crams even more transistors into an even smaller space. AMD, extending the huge success and popularity of its Athlon line and the Athlon's most recent and powerful incarnation, Athlon XP, announced the XP 2000—a chip that actually runs at 1.67 gigahertz but, third-party tests show, nearly keeps up with the 2.2 ghz Pentium 4 in most tasks (and even surpasses it in some). What's going on here is simple: Good old-fashioned competition drives engineers to continue to work miracles. Intel, the market-dominating behemoth, has always pushed new, improved products out the door faster—and dropped prices more readily—when it feels the breath of a credible competitor on its neck. For many years the competition was feeble, but that changed when AMD's Duron and Athlon chips began giving Intel a run for its money—and, for a time in 2001, actually bested Intel for the fastest personal-computer chip title. Today, these two companies keep spurring each other on, and consumers win big. For most of us, that's all we need to know: Computers keep getting faster and cheaper. The details are of interest only to the legions of hardware nuts, high-performance system geeks and chip-overclocking fans who flock to the Web's hardware review sites. Right? Well, the gigahertz specs may indeed be only geek fodder, but the other details of the Intel-AMD rivalry should be of keen interest to a much bigger crowd. That's because the competitive heat driving the processor market puts the relative frigidity of another part of the computer business into bold relief. I refer, of course, to the business of designing personal-computer operating systems—a business that

Microsoft has dominated for years and that, according to the confirmed verdict of our federal courts, it now monopolizes.

What if Microsoft were challenged as strongly on its home turf as AMD is now challenging Intel? What innovations, improvements and price reductions would the public enjoy that it doesn't, today, thanks to the Microsoft monopoly? This is the big question that hangs over the continuing struggle to find a meaningful outcome to the endless Microsoft antitrust saga. And the AMD/Intel analogy is worth pursuing to try to find some answers. Microsoft and its supporters, of course, maintain that the monopoly label is misplaced. After all, can't you buy a Macintosh without buying Microsoft Windows? Can't you obtain a PC and fire it up with any of a dozen versions of Linux or other Unix-style operating systems? Sure you can—and each of those operating-system alternatives has its partisans. But for use by individuals on their personal desktops, Microsoft Windows holds the overwhelming market share—by nearly every estimate, over 90 percent. Is that simply because Windows is superior to the alternatives? There are certainly people who believe that; and, to be sure, with the release of Windows XP last year, Microsoft finally moved its flagship operating system off the aging and increasingly unstable code base it had inherited from its infancy and onto the relatively more reliable Windows NT/Windows 2000 core. But how much faster might Microsoft have achieved that improvement if it was racing a tough competitor? And how much more incentive might the company have to produce more secure, less virus-vulnerable products today? The historical record is quite clear (and the antitrust trial record is just as clear): The central reason Windows has maintained and extended its market share over the years is not product superiority but a concept economists call “lock-in.” Once you have all your data and all your software applications on one operating system or “platform,” moving to a different one is painful—it takes time and effort and money (as economists say, your “switching cost” is high). Over the years Microsoft has not had to push harder and faster to improve Windows because it knew that its customers were unlikely to make a fast switch to a competitor. Now, that picture would be very different if you could somehow reduce or eliminate those switching costs. What if competing operating systems could seamlessly and interchangeably run the same programs and utilize the same data files that Windows does?

Here's where the Intel/AMD analogy comes in handy. These manufacturers compete to provide chips that can run the same computer programs—known loosely as “x86 compatible” code—and that retain compatibility with hardware like expansion boards and peripheral devices. If you needed to write different versions of each piece of software and manufacture different versions of each piece of accompanying hardware—one that would work with Intel's chips and one that would work with AMD's—the whole competitive market would disappear. The weaker player (presumably AMD) would

vanish and—presto!—Intel would have a monopoly as tough as Microsoft's.

This relatively level playing field in the x86-compatible processor business did not come about by sheer happenstance. The semiconductor industry is marked by a Byzantine pattern of patent cross-licensing agreements; they provide permanent employment for legions of lawyers, and laymen seek to understand them only at great peril. What's important about them, however, is not how they came about but that they work. Now that the federal courts are trying to figure out an effective remedy for Microsoft's abuse of its monopoly powers, the competition between Intel and AMD provides a valuable model. How would one go about enabling Microsoft's rivals to compete with it as effectively as AMD is competing with Intel?

The key here is something known as the Windows API (or “applications programming interface”) — the set of instructions that Windows programs use to “talk to” the operating system. The Windows API has long been a murky issue: Microsoft has always provided some information to independent developers—it has to if third-party Windows programs are going to work. But Microsoft can and does muck around with the API, changing things that break competitors' products, anytime it wants to. And rumors have long buzzed, without ever being nailed down, that Microsoft's own developers take advantage of so-called hidden APIs that non-Microsoft coders can't use. The Justice Department's proposed antitrust settlement with Microsoft seems to demand that Microsoft do more to open up its APIs to competitors. But the fine print makes it clear that Microsoft could pretty much continue with business as usual. A more effective remedy would be one that required Microsoft to standardize and publicize the entire set of Windows APIs and the file formats of its Office applications (another key to Microsoft's monopoly “lock-in”)—with the express goal of allowing competitors to build Windows software applications, and operating systems, that compete with Microsoft on a level field. Such a plan would require careful oversight and enforcement, since Microsoft could easily engage in all manner of foot-dragging. If Microsoft set out to be uncooperative, it could release the API information slowly, in deliberately confusing ways, or in a “Good Soldier Svejk” fashion—assiduously following the letter of the court's order while flagrantly violating its spirit. (There's precedent here: This is precisely how Microsoft behaved during the trial when it told the court that, sure, it would supply a version of Windows with Internet Explorer removed from its guts, but gee, sorry, then Windows wouldn't work.) Now, I can already hear the howls from the Microsoft corner that this plan is evil and un-American because it forces Microsoft to give up some of its intellectual property. Well, yes. Microsoft is in court as a repeat offender; the current antitrust suit, in which a federal district court and an appeals court have both affirmed that Microsoft is a monopoly and that it has abused its monopoly powers, arose out of the failure of a previous consent-decree settlement of an earlier antitrust case.

At some point, having repeatedly violated the law, Microsoft needs to pay a price, or it will continue with its profitably anticompetitive ways. There's no reason to think the Justice Department's proposed settlement will work any better than the consent decree of last decade did. And financial penalties can hardly wound a company that is sitting on a cash hoard of tens of billions of dollars. But intellectual property—that's something Bill Gates and his team really care about. Requiring them to divulge some of it in order to restore competition in the software market might actually get them to change the way they operate. With Microsoft's APIs and file formats fully standardized, documented and published, other software vendors could compete fairly—which, after all, is what antitrust laws are supposed to promote. We might then be faced with a welcome but long unfamiliar sight: a healthy software market, driven, as today's processor market is, by genuine competition.

L TTTT Peter J. Cacioppi
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MTC-00012816

From: Rita Jellison
To: Microsoft ATR
Date: 1/16/02 3:23pm
Subject: Microsoft Settlement
Honorable Judge Kollar-Kotelly,
I am an employee at the Massachusetts Institute of Technology, and I am upset about the recent settlement between the Justice Department and Microsoft (PFJ).

First, the PFJ does nothing to stop Microsoft from operating as a monopoly through the use of its operating system. Second, the settlement does not punish Microsoft for clearly violating anti-trust laws in the past. Also, the PFJ does not provide an effective enforcement mechanism for the weak restrictions it does implement.

In closing, I'm deeply concerned the recent settlement does not regulate Microsoft enough in the future allowing Microsoft to continue its monopolistic tactics. In addition, Microsoft is not even being punished for laws it clearly broke in the past. This sets a terrible standard. I would request that you do your best to overturn this settlement.

Sincerely,
Rita M. Jellison
Allston, Massachusetts
CC:sara.Hinchey@ago.state.ma.us@inetgw

MTC-00012817

From: gene dailey.
To: Microsoft ATR
Date: 1/16/02 3:24pm
Subject: Microsoft Settlement

To whom concerned,
I believe that the proposed Federal Court Settlement regarding the alleged Microsoft wrongdoing is fair and proper. I also believe that the states choosing to withhold their support are doing so only in pursuit of monetary gains not justified by the accusations. It is my belief that, at this point in history, our Justice Department has far

more pressing items to occupy it's time than to interfere in the business practices of any of our most valued companies.

Sincerely,
Terrell E. Dailey
5431 Maple St
Houston TX 77096

MTC-00012818

From: Sean Bell
To: Microsoft ATR
Date: 1/16/02 3:31pm
Subject: Microsoft Settlement

As a long-time user of personal computer products (dating all the way back to the pre-Microsoft era), it seems to me that the principle goal in the Microsoft trial should be the re-establishment of a competitive market for operating systems and core software (ie, Office-like applications, browsers, and email clients). The key to this is an open standard to which developers can write, a sort of lingua franca for programmers. This standard already exists, in the form of the Windows Application Programming Interface (API), but the standard is NOT open. The Windows API is defined by Microsoft, and though large parts of it are made public (it is, after all, how programmers are able to craft products to run on Windows at all), other key components are almost certainly kept secret, to be exploited by Microsoft's own development teams. Keeping this information proprietary provides Microsoft with a non-competitive advantage when it comes to writing applications which run on top of Windows, and also prevents anyone else from writing an operating system which will respond appropriately to API calls made by others' applications.

BUT, if the court were to order (and enforce) the opening of the Windows API, Microsoft would find itself playing on the same field as other software developers. While they would still enjoy an enormous advantage as the original creators of the API, in the long run other developers would at least have a chance to fully learn the API, contribute to its future expansion, and possibly provide some real competition to Microsoft in not only the applications arena, but in the operating system market, as well.

That is the goal, right?

Thanks for your consideration. I am sure you have heard, and will hear, a great number of suggestions which run along similar lines to this one, hopefully much more fully fleshed out. I simply want to add another vote for real reorganization, as opposed to some kind of basically meaningless financial penalty. The future of digital technology, which contains so much promise, is in my opinion largely contingent upon the recreation of an open, furiously innovative, market. A slap on the wrist, even a hard one, will not accomplish this. An open API will.

Cheers,
Sean Bell
bells@imagesystems.com

MTC-00012819

From: DeSpain, David R.
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/16/02 3:35pm
Subject: Microsoft Settlement

Dear Sirs:

First of all, I am writing this as my personal opinion, it does not represent the position of the Illinois Department of Transportation. Microsoft deserves no sympathy or kindness. Do you remember the company that developed a disc compression utility called Stacker? Microsoft blatantly copied this, and when Stacker won in court, Microsoft bought the company rather than pay a larger penalty. This is what they laughingly call "innovation". Their "freedom to innovate" is the freedom to steal other's property, force makers to buy their OS for every unit or else pay full retail price, and use the profits from the OS to force other companies (WordPerfect, Stacker, Netscape) out of business.

What they can't control, they mess in. After their purchase of a large interest in Corel, Corel suddenly lost interest in what was arguably the best Linux distribution available. Please investigate this purchase as it surely is anti-competitive.

Besides, since when does a convicted criminal get to pick the punishment he feels appropriate?

David R. DeSpain, PE
Communications Systems Engineer
Illinois Department of Transportation
2300 South Dirksen Parkway Room 009
Springfield, IL 62764 217-782-7234 FAX
217-782-1927

MTC-00012820

From: John—
Parkan@paramount.com@inetgw
To: Microsoft ATR
Date: 1/16/02 3:50pm
Subject: Microsoft Settlement

A level playing field must be created for every other software and operating system vendor alike.

Microsoft is guilty. That much is true.

The only way to completely level the playing field is to open up, document and publish Microsoft's APIs and file formats. While I don't believe that these should be standardized on (there are much better solutions from third party vendors out there) this will give those companies ways to work around the tangled mess Microsoft has weaved in both their API sets and file formats to: a) prevent the competing software of others to work properly with their OS, b) to create incentives for upgrade's by not being compatible with earlier formats in their own programs and c) to use "hooks" in the API's available only to them.

I thank you for your time and consideration.

Regards,
John Michael Parkan

MTC-00012821

From: Robert Corkrum
To: Microsoft ATR
Date: 1/16/02 3:49pm
Subject: microsoft settlement

We must move on ,there are probably millions of shareholders like me who are tired of our elected officials dragging this on anymore!!!! Who are they listening to?

Who are they helping?
Bob Corkrum

MTC-00012822

From: Bob
To: Microsoft ATR
Date: 1/16/02 3:54pm
Subject: Good or Bad

Take a look at History. Microsoft played a large part in making computing available to almost everyone.

Give Microsoft a break.
Bob Martin

MTC-00012823

From: Larry Moe
To: Microsoft ATR
Date: 1/16/02 3:58pm
Subject: settlement

Lets get this Microsoft thing over and get back to building up our economy. Thank You,

Larry Moe

MTC-00012824

From: jozevuk@webtv.net@inetgw
To: Microsoft ATR
Date: 1/16/02 4:05pm
Subject: Settlement

I have been in constant review of all judicial proceedings regarding the final offer made by Microsoft; it has consumed much valuable time and effort on both sides if the issue. Now is the time to finally conclude these efforts. The proposal made by Microsoft is fair, tough and balanced. The consumer is very much protected. It is time. In conclusion, I feel that acceptance of the offer will greatly effect and stimulate the U.S economy, and the world's in direct proportion as when the litigation caused the markets to decline. Microsoft could lift all boats and bring back a strong economy. This is the right thing to do.

MTC-00012825

From: Gil7@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 4:08pm
Subject: Microsoft Settlement

I think that even what "Microsoft" settled for is far beyond what the punishment should be. Actually there should be no punishment for being an innovative, successful software manufacturer. Microsoft is the best because they work harder and smarter.

No consumers were hurt. The cost for "Windows" is in line with what other software makers charge for their operating systems. If there was a better operating system out there it would have become the standard no matter what marketing ploys Microsoft used. People just want the easiest, best software available.

If there was a better operating system or even one as good as "Windows" wouldn't you think even one computer manufacturer would have included it with their computers?

As far as bundling is concerned, you don't have to be a computer genius to bypass Microsoft's products that are bundled.

It's clear that this is being pushed by Microsoft's competitors. They should spend more time and money innovating rather than trying to hurt Microsoft. No harm—no foul—no punishment.

Gil Rosoff

MTC-00012826

From: Barbara Thompson
To: Microsoft ATR
Date: 1/16/02 4:12pm
Subject: Microsoft Settlement

I have received your e-mail pursuant to our phone conversation of yesterday. I am happy to reply to Atty. Gen. Ashcroft on behalf of Microsoft because I believe in the company and its management.

However, what prompted you to contact me in the first place was the fact that I had recently attempted to contact Microsoft Outlook for help with a technical problem. I find it impossible to obtain a direct e-mail address for this help or even a phone number so that I may talk with someone about it. It is a simple problem I'm sure; I just need to know how to address it. Would you please see that someone from Microsoft Outlook contacts me and gives me some answers. I would appreciate this help as soon as possible.

Thank you.

Barbara Thompson

P.S. The nature of the problem is as follows: We have two addresses served by one account on M.O.: Barbara Thompson—barbarathompson@kscable.com and Bill Thompson—billthompson@kscable.com.

A box keeps appearing on my screen showing Internet Server (Bill Thompson) or (Willard Thompson) that I either have to "okay" or "cancel". It keeps popping up several times in a span of minutes. I don't know how to erase it permanently—particularly the "Willard Thompson" box. The other thing is that on the "Tools" menu, there is not an option for "Accounts" or "How to Manage Accounts". Why has this disappeared from my tools menu?

Please see that someone gets this message and that Microsoft is kind enough to offer me some help. I will be much more willing to respond positively in their behalf. Thank you very much.

MTC-00012827

From: steve cooley
To: Microsoft ATR
Date: 1/16/02 4:15pm
Subject: microsoft acquiring SGI 3d patents.

there are news reports circulating today that Microsoft has acquired patents from SGI, Inc., regarding some 3d technologies and the OpenGL 3d platform. OpenGL is the only competition Microsoft has to it's own Direct3d platform. By acquiring these technologies, it's created a monopolistic situation on the continuing developement of 3d technologies. It's not inconceivable that hardware manufacturers would be pressured to stop supporting OpenGL and only support Direct3d, which excludes all platforms but Microsoft's.

I urge you to investigate these matters.
thank you.
Steve. . .

MTC-00012828

From: Barbara Thompson
To: Microsoft ATR
Date: 1/16/02 4:14pm
Subject: Recall: Microsoft Settlement

Barbara Thompson would like to recall the message, "Microsoft Settlement".

MTC-00012829

From: RBRrat@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 4:17pm
Subject: Settle in Favor of the Microsoft

Proposal and penalize the holdouts
To whom it may concern:

To Justice Department Officials, States against Microsoft, and their Lawyers: I don't know what is wrong with you legal officials. You must settle this case in favor of Microsoft immediately. The initial attack on Microsoft by all the states was terrible and nearly destroyed the American Economy. Now you have the chance to correct your tragic mistake, which harmed thousands of lives and thousands of families, and settle this problem once and for all. Who knows if the Stock Market and economy will ever recover? Instead, we have greedy holdouts and lawyers wanting to get rich still. . . off of Microsoft, and at the expense of the average American citizen.

Please, accept Microsofts proposal. End this unconstitutional attack on the free enterprise system.

You are so bad, you should be removed from office or position. The States which continue to refuse Microsoft's settlement offer should be penalized for being UnAmerican, the rest of the States should refuse to trade with them, and. . . ask yourself. . . Why in the world doesn't Mr. Bill Gates take his company to Canada or somewhere where ingenuity, hard work, and the free enterprise with it's entrepraneural spirit is wanted and honored. Act now, act right, Free Microsoft, and do your duty to God and country.

Richard Radke
12432 Juanita Dr. NE
Kirkland, WA 98034
RBRrat@aol.com

MTC-00012830

From: Leon O'Dell
To: Microsoft ATR
Date: 1/16/02 4:18pm
Subject: Microsft Case comment

I think this has gone on long enough. If it hadn't been for Microsoft, we wouldn't have personal computers in so many homes. Leave them alone, settle this thing once and for all, and let the free marketplace decide. The Department of Justice should be seeking the truth in more serious matters, such as the Clinton "last minute" pardons (read: bribes).

Leon O'Dell
Youngsville, NC

MTC-00012831

From: Praedor Tempus
To: Microsoft ATR
Date: 1/16/02 4:19pm
Subject: Microsoft Settlement

As a citizen I wish to express my strong opposition to the microsoft settlement as agreed to by the Justice Department and stand firmly behind the 9 hold-out states seeking to properly address microsoft's past and continuing misdeeds and unlawful behaviors.

Microsoft has continued to leverage its operating system monopoly to gain ground in other areas since the start of the antitrust suit. They are continuing to move to leverage their

operating system monopoly to grab hold of internet commerce, forcing online purchasers to go through microsoft databases on microsoft servers with microsoft software. They are seeking to make the internet a primarily microsoft-driven domain; the internet cannot be allowed to "belong" to ANY corporation in any way. It belongs to everyone and must continue to be accessible by anyone with any operating system.

Microsoft is buying out patents, so it seems, from the faltering SGI. This itself bodes ill for SGI is the source of an OPEN graphics format used in industry and entertainment called OpenGL (Open Graphics Library). It is not likely, given microsoft's past and current behavior, that no harm will come of this. Indeed, it is likely that microsoft will seek to impose restrictive licensing terms on OpenGL licensees or use their purchases control of the library to drive it out of existence in favor of microsoft's own, proprietary direct3d graphics library (which ONLY works on microsoft operating systems).

Microsoft simply must have its teeth pulled. It MUST be forced to compete ONLY on the merits of software and in no way be allowed to ever leverage its current operating system monopoly to drive adoption of ANYTHING else they produce.

I do not know why the DOJ caved in and essentially allowed microsoft to write their own punishment, but it stinks to high heaven. The 9 holdout states stand in the right, they stand for the law, and they stand for fair competition. Their remedy is far and away superior to the toothless "remedy" accepted by DOJ at the behest of microsoft.
praedor
Utah

MTC-00012832

From: brownsm
To: Microsoft ATR
Date: 1/16/02 4:21pm
Subject: Microsoft Settlement

To whom it may concern,

My name is Susan Brown, I am a professional who has been in the Information Technology field since the 1970's. As a consumer interested in using the best and most reliable products available, you must know that I would select Microsoft products any time of the day and for the rest of my life!

Those who are leading the attack against Microsoft must stop this crusade against a company that has managed to develop the best products possible for appreciative consumers. The fact that other envious companies have not been able to produce valuable products gives no one the right to attack and to destroy a company who has!

Leave Microsoft alone and be glad that Bill Gates and his team have brought the whole world into the enlightened, productive, and efficient time that we, the consumers, enjoy today!

My name is Susan Brown; I am in support of Microsoft and you can contact me directly at (562) 923-7873

MTC-00012833

From: Wesley Salmon
To: Microsoft ATR

Date: 1/16/02 4:21pm
Subject: Microsoft Settlement

It took me two seconds to send this email because Microsoft made efficient integrated software. I would appreciate it if yall would stop shaking them down. How much tax revenue has Microsoft generated? You should be thanking them for paying your paycheck.

Wesley Salmon

MTC-00012834

From: Jeff Ferland
To: Microsoft ATR
Date: 1/16/02 4:23pm
Subject: Public comment on case

I find there to be two reasonable courses of action to take on this issue, the first being less severe, more fair, and more generic; while the second is almost extreme.

My first reaction is to ban any agreement that forces you to buy an operating system with a computer, and if you opt to not take the offer then the cost of the operating system should not be charged to you. The same ought to apply for bundled software. It is certainly unfair to me to when I go to buy a laptop to know that I must pay what many Unix computer professionals have come to refer to as a "Microsoft Tax." Linux seems much more suited to me and having to pay for another operating system of which I have no intent of using is incredible (this also applies for those of us who already own a license for Windows that is not being used and would prefer to spare themselves the expense of paying for something twice). I can't see this as being anything but fair and competitive as there is no single common computer architecture for which only one operating system is capable of running on.

In addition to the above, I would also find it beneficial should Microsoft (specifically this time) be prohibited from bundling any of their products together at reduced cost. The cost of a complete office suite should be the same as the individual ones, and the same goes for their browser which should not be integral to the operating system. Windows ought to be available without Internet Explorer, and should also cost less without it (though I don't see any argument to it being downloadable for free). My second and much more drastic suggestion is the corporate death penalty. Basically the revocation of Microsoft's corporate charter. All their code would be forced open and placed on publicly accessible servers that will be maintained from some of Microsoft's resources. Their physical parts (computers and such) would be sold at a public online auction. In any case, my belief is that the suggestions I have presented first should be instated. My second suggestions should be weighed carefully and I make no movement to support them—they are merely presented as a possible solution as it is not my right to make such a decision.

-Jeff

SIG: HUP

PS—Just another computer user that doesn't think corporations should be allowed to tax you for what they don't own.

MTC-00012835

From: Bryan William Jones
To: Microsoft ATR
Date: 1/16/02 4:25pm

Subject: Microsoft Settlement

Microsoft and their supporters maintain that the company must be allowed to continue to innovate in the computer market without restraint on the part of the government. The reality is that Microsoft actually does very little innovation other than purchasing products and companies and either integrating them into their Windows product or if not feasible from a business sense they kill products that would otherwise compete with the Windows monopoly. Microsoft is not so much about innovation as they are about marketing and their corporate behavior has always been one of repression of small (and large) technology businesses, and as such innovation in the computer industry has been held back and in some cases driven back.

To appreciate how absurd these claims of innovation are we only have to look at the origins of Microsoft that go back to a purchase from Tim Patterson of a product called X86-DOS. X86-DOS was then rebranded as MS-DOS and licensed to IBM for use in their computers. No innovation here. Windows was copied (rather badly in earlier forms) from Apples Lisa and Macintosh lines and was not actually an operating system per se as much as it was an application that ran on top of the real operating system that was still DOS. By the way Novell also had a DOS, which Microsoft crippled by making their Windows application incompatible with thus driving that product out of the market and causing harm to Utah residents and consumers as well as possibly the software industry as a whole.

Contrary to popular belief, the web browser was not invented by Microsoft either. Microsoft was late to that game. The web browser was actually invented on the NeXT platform and Microsofts claim comes by way of licensing of code from a company called Spyglass in 1995. They then called the product MS Internet Explorer. Where Spyglass was harmed was in the licensing agreement. Microsoft agreed to give Spyglass any royalties from the sale of Internet Explorer. When Microsoft started giving away Internet explorer to drive Netscape out of business, there were no royalties available to distribute to Spyglass.

As for Microsofts other products, one would be hard pressed to find one that was not purchased, licensed or conceptually stolen from another company. To illustrate: Microsoft did not invent the word processor as there were many examples of the concept before Word on such platforms as the Apple II, the Osborne, Commodore, Atari, and the TRS-80. Excel was not the original spreadsheet program as that honor goes to Visicalc which originally was created on the Apple II computer. The product we know as Excel was contracted for Apples Macintosh computer in 1984 and was called xcel/ Multiplan. Microsoft then created their own "Excel" for Windows. The Microsoft Foxpro database was the result of a purchase of Fox software in 1986, MS-OLE came from Wang labs, Powerpoint came from the purchase of Forethought Inc. in 1987, SQL server was purchased from Sybase in 1988, Visual Basic was purchased from Cooper software in 1991,

and Windows NT which begat Windows 2000 and Windows XP was originally XENIX and was written under contract by Santa Cruz Operation. Even Microsofts games are not home grown efforts. Flight Simulator was purchased from the Bruce Artwick Organization, and their central software product for their forthcoming X-Box game console is the result of a purchase of a company called Bungie which got its start developing for again, the Macintosh.

One could argue that even with Microsofts anti-competitive behavior, they are bringing products to market and making them available to the consumer. But in bringing many of these products to market, Microsoft has used their monopoly status to get away with quality control issues that companies in any other industry would be run out of business for. Microsofts product strategy is not to deliver well designed products based on good engineering, rather their goal is getting products out the door regardless of their level of completeness or the level of quality of the product. They are in reality a timeline driven company rather than a product driven company that even with the benefit of copying others work, they copy and implement that work badly.

The result of this can be seen in numerous bugs that crop up when we are using our computers which for most of us are minor to relatively serious inconveniences, but for organizations like the Navy, they can be deadly as exemplified when Windows NT crashed the computer systems of the USS Yorktown leaving it dead in the water off the coast of Virginia. We can all imagine what would have happened had this crash occurred in combat.

Continuing Microsofts recidivist behavior, the company in releasing XP is tying more and more products into the Windows monopoly and as such they are eliminating consumer choice and continuing to leverage Windows to gain access to other markets and eliminate competition in those markets as well. Does this tying of products into the Windows monopoly constitute innovation? Perhaps loosely but the real question is: How does this affect the consumer? Companies like Spyglass certainly have been taken advantage of as well as the other companies affected by Microsofts behavior throughout the companies history leaving us to ask ourselves, where would we be today if companies small and large were not afraid or unable to compete with Microsoft?

Additionally, it has come to my attention that Microsoft has also recently purchased the patents for 3D technology from SGI. This will possibly allow Microsoft significant leverage over the independent 3D hardware manufacturers who are currently supporting the only rival to Microsoft's Direct3D graphics API, OpenGL. This places development of 3D technology in jeopardy as Microsoft will most likely take what tools they can from OpenGL, integrate them into the Windows paradigm and then eliminate all further development of the OpenGL standard causing significant harm to the consumer and industry.

Best Regards,
Bryan William Jones
bryan.jones@m.cc.utah.edu

University of Utah School of Medicine
Moran Eye Center Rm 3407
75 N. Medical Dr.
Salt Lake City, Utah 84132
<http://insight.med.utah.edu/marc/index.html>

MTC-00012836

From: Lawrence C Hale
To: Microsoft ATR
Date: 1/16/02 4:25pm
Subject: Microsoft Anti-Trust settlement
The settlement is more than just by Microsoft.

MTC-00012837

From: Bob and Tiny Skagen
To: Microsoft ATR
Date: 1/16/02 11:01am
Subject: settlement
I don't know why the government is so biased against Microsoft. That company has done so much for our country, I think the government wants too much control of everything. Is the government jealous, that's my question.
Sincerely,
Ruthella Skagen—a 72 year old taxpayer

MTC-00012839

From: Sharrie Dyer
To: Microsoft ATR
Date: 1/16/02 4:26pm
Subject: Microsoft settlement
Please get off Microsoft's back. I am a senior citizen who relies on Microsoft products because they're the easiest to learn and use. I don't understand why you're trying to punish them for being innovative and meeting public needs.

MTC-00012840

From: Johnny Appleseed
To: Microsoft ATR
Date: 1/16/02 4:31pm
Subject: Microsoft Settlement
I am a libertarian Republican.
Having considered the evidence, it is clear that Microsoft is true monopoly, and it has abused its monopoly powers in an anticompetitive manner. Accordingly, its monopoly must be broken. This is the single most important element. It bears commenting that other businesses may be behaving in an anticompetitive manner in other fields (beyond Operating Systems), and those should be pursued as well.

Finally, the "tolerance" of anticompetitive practices by Microsoft may lead other businesses to behave anticompetitively as well, as this might be seen as necessary for survival.

Michael Conard

MTC-00012841

From: Jeff Wimble
To: Microsoft ATR
Date: 1/16/02 4:30pm
Subject: MICROSOFT SETTLEMENT

Microsoft should have never been attacked as they were in the first place. It was a silly, pointless investigation from start to finish, especially the last six or eight years of it.

I hope the investigation proved to Congress and the American people just how silly, petty, and useless the anti-trust division is. I

hope congress drastically cuts their funding in future years.

MTC-00012842

From: Sean Flanagan
To: Microsoft ATR
Date: 1/16/02 4:34pm
Subject: Microsoft Settlement
Dear Judge. . .

I would like to state that I disagree with the Microsoft settlement. I believe that it is unfair.

Thank you
sf

MTC-00012843

From: John Wright
To: Microsoft ATR
Date: 1/16/02 4:33pm
Subject: Microsoft settlement
Dear Justice Department,

Antitrust law is illogical, ex post facto, unenforceable. If a business sets a price above the prices of its rivals, it can be charged with 'intent to monopolize.' If it sets a price below those of rivals, it can be charged with 'predatory pricing' or 'unfair competition' or 'restraint of trade.' If it charges a price similar to those of rivals, it can be charged with 'collusion' and joining a conspiracy to fix prices.? Antitrust law substitutes the free choices of the free market for the coercive judgment of one judge. The alleged benefits to the consumer are a myth; the court takes money away from the people whom the consumers rewarded with their patronage, and gives it by force to those the consumers did not want to pay.

In every case, prices to consumers go up after the courts make an antitrust ruling. The business losses to the United States economy run to the billions of dollars.

In this case, Microsoft is under attack by an envious rival. The several states should be forbidden from pursuing this case.

Yours, John C. Wright
Centreville, VA

MTC-00012844

From: Sean Flanagan
To: Microsoft ATR
Date: 1/16/02 4:34pm
Subject: Microsoft Settlement
Your Honor. . .

This is a note stating that I don't not agree with the settlement regarding Microsoft. I believe it is unfair.

Thank you for your time.
Sean Flanagan

MTC-00012845

From: Frank.Post@engelhard.com@inetgw
To: Microsoft ATR
Date: 1/16/02 4:35pm
Subject: "Microsoft Settlement"

If the government is interested in breaking up a monopoly, they should start with the Department of Education.

MTC-00012846

From: Matthew Drabik
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/16/02 4:37pm
Subject: Microsoft Settlement
Issue an apology to Microsoft and America and be done with it. The DOJ made a mistake

even starting this and should admit it publicly.

Matthew Drabik
4571 Southland Avenue
Alexandria, VA 20170
(703) 354-91378

MTC-00012847

From: Anuj Goyal
To: Microsoft ATR
Date: 1/16/02 4:43pm
Subject: Microsoft Settlement

Microsoft buys (some) SGI patents: <http://slashdot.org/articles/02/01/16/1824256.shtml>
I understand that Govt. lawyers are having a difficult time reaching a settlement with Microsoft, but do not allow them keep buying intellectual property which will let MS create a monopoly in graphical software or graphical APIs as well. During this time of uncertainty, the US Govt. should be scrutinizing everything that Microsoft does in relation to their bottom line. Competing standards have always brought about inefficiency and by having one major company controlling the graphical standards that the rest of the world uses, it do a great injustice to free markets and an efficient economy.

Sincerely,
ANUJ GOYAL
6401 SHELLMOUND ST APT 7204
EMERYVILLE CA 94608-1072
Home: 510.597.0348 (pls call b/w 5pm-8pm PST)

MTC-00012848

From: Choate, B Paul Mr EACH
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/16/02 4:39pm
Subject: Microsoft Settlement

Settle. Get off their case. Let economic forces determine their fate. By the way, Microsoft is less of a "monopoly" now than Apple was in it's heyday (early 80's). The technology industry is way to volatile for anyone to rule forever.

B. Paul Choate, M.D.
Colorado Springs

MTC-00012849

From: donnie walt
To: Microsoft ATR
Date: 1/16/02 4:41pm
Subject: Government has a bad enough reputation!

Leave Bill alone if you don't like windows use a Mac.

Government has a bad enough reputation!
Leave Bill alone if you don't like windows use a Mac.

MTC-00012850

From: austin and dana troy
To: Microsoft ATR
Date: 1/16/02 4:42pm
Subject: microsoft settlement

While I think Bill Gates is too arrogant by far, the country does itself a disservice by continuing this jihad against MSFT. If it weren't for Windows the PC industry would never have had its explosive growth. To me it seems impossible to have predatory, anti-competitive pricing on an operating system on one hand and gouging of the consumer on the other.

By the way I own no shares in MSFT, and haven't for several years.

Austin Troy

MTC-00012851

From: Ed Robinson
To: Microsoft ATR
Date: 1/16/02 4:46pm
Subject: Microsoft Settlement

I think the government ought to sock them the maximum amount allowable. They have gotten away with computer equivalent of murder and ought to have to pay the piper. How about every user (of MS record) in the world getting a check for \$20 as a one time settlement for the company's monopolistic actions for at least the last five years? They certainly shouldn't be allowed to put a bunch of dirt cheap computers loaded with MS programs into schoolrooms.

Sincerely,
Edward G. Robinson
2406 Oakwood Way
Smyrna, GA 30080-3881

MTC-00012852

From: Richard Sheppard
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/16/02 5:00pm
Subject: Microsoft Settlement

This is a trial lawyer scheme for heaven's sake. Shut it down forthwith!

Regards,
Dick Sheppard
Jersey City, NJ

MTC-00012853

From: Steve Gilbert
To: Microsoft ATR
Date: 1/16/02 4:51pm
Subject: Microsoft Settlement

I am in favor of the settlement on the table involving Microsoft. I wonder what the nine states attempting to get further concessions from the settlement are reaching for? As for Utah, I believe there is a software company (Novell) that competes with Microsoft in some areas, and we have some conflicts regarding an impartial decision.

MTC-00012854

From: RPineo@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 4:53pm
Subject: Microsoft Settlement
January 15, 2002

Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I would like to express my emphatic opinion that it is time to settle the Microsoft antitrust case. The case has gone on for far too long. I believe Microsoft was pretty aggressive in their marketing. However, this was an entirely new area of business with no real way of knowing from past experience what would be considered an anti-trust infringement and what would not. Microsoft's hands have been slapped. In fact, as I understand them, the terms of the settlement not only slap Microsoft's hands, but also ties them in the future. Microsoft has agreed to not retaliate against software or hardware developers who develop or promote software that competes with

Windows. They have agreed to grant computer makers broad new rights to configure Windows so as to promote non-Microsoft software programs. And they have agreed to design future versions of Windows so that competitors can more easily promote their own products within Windows. This seems almost the opposite of free-market enterprise and certainly mandates co-operation with their competitors.

As an Iowan, I disagree with the stand Attorney General Tom Miller has taken. I tried to send him an e-mail (lacking his e-mail address, I ended up sending care of the Governor) telling him this. I have had no reply. I think he is wrong and is letting political interests guide him instead of looking out for what is best for the State of Iowa as well as the nation. Any error Microsoft made in too enthusiastically promoting their growth has been mitigated, in my mind, by the huge advances their innovations have caused in all areas our society and the economy and IT sector. We need more entrepreneurial endeavors in this country. Especially since 9/11, we don't need to spend time and efforts on things like this. That is why it is your job to take a stance and finalize the settlement. Thank you for your time.

Sincerely,
Linda Pineo
1568 Rio Valley Dr.
Des Moines, IA 50325

MTC-00012855

From: Doug.Levene@us.pm.com@inetgw
To: Microsoft ATR
Date: 1/16/02 4:53pm
Subject: Microsoft Settlement
January 16, 2002

Dear Sir or Madam:

I have been practicing law for 20 years and am writing to express my support for the DOJ settlement with Microsoft Corporation. I do not represent any party to this matter.

As I read the Court of Appeals decision, the tying case has effectively been thrown out. As a consequence, the DOJ deserves in my view plaudits for obtaining better terms than it could possibly have obtained upon retrial. The State Attorney Generals who have opposed this settlement are purely political opportunists with no knowledge of the law, and the competitors of Microsoft are ignoring the fact that their tying case is gone.

Sincerely yours,
Douglas B. Levene
45 Ryders Lane
Wilton, Conn. 06897
Levene@optonline.net
Admitted in New York and Illinois.

MTC-00012856

From: David Rasmussen
To: Microsoft ATR
Date: 1/16/02 4:47pm
Subject: Renata Hess, Microsoft settlement
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

This email is being written in support of the Microsoft settlement. I believe the

settlement provides Microsoft with the guidelines it needs to market their product legally.

Sincerely,

DeMar "Bud" Bowman, Representative
Utah House of Representatives District #72

MTC-00012857

From: John Borchers
To: Microsoft ATR
Date: 1/16/02 4:56pm
Subject: Microsoft settlement

Dear sirs,

Just leave Microsoft alone. Their competitors are using you to harm Microsoft unfairly, and no consumers were damaged in any way. Thanks.

John Borchers
Camp Verde, AZ

MTC-00012858

From: Allen Covert
To: Microsoft ATR
Date: 1/16/02 4:59pm
Subject: Microsoft

Let it go. Sign the settlement and let the biggest economic engine in the world rev up again.

MTC-00012859

From: Jeff Quiggle
To: Microsoft ATR
Date: 1/16/02 4:59pm
Subject: Microsoft Settlement

The settlement agreement Microsoft and U.S. Government is a positive step and should be allowed to stand.

Jeffery J. Quiggle

MTC-00012860

From: Anderson, Kyle
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/16/02 4:54pm
Subject: Microsoft Settlement

Kudos on your decision to settle with Microsoft and promote a stronger, healthier business for a company that has done so much for bringing technology to us. I support your decision to encourage best business practices without letting illogical bias get in the way. Thanks!

Kyle Anderson

MTC-00012861

From: Becky Spoon
To: Microsoft ATR
Date: 1/16/02 4:59pm
Subject: microsoft settlement

I think the settlement is one of the best things that ever happened to Microsoft and one of the worst for the welfare of the public. I've been telling people for years that if Microsoft were smart, they'd be giving old computers to the schools so they could undercut Apple's position in the marketplace. They call this PUNISHMENT? Give us a break. How stupid do "they" think the American public is?

(Apparently VERY stupid. . .)

MTC-00012862

From: Jim Lang
To: Microsoft ATR
Date: 1/16/02 5:01pm
Subject: "Microsoft Settlement"

To whom it may concern,

For the last 8 years, Microsoft has been the subject of continual harassment by our

Federal Government. This was started one year after Clinton was elected into office as POUS. The reason for this harassment was and is pure politics. During his campaign for President, Clinton was supported in this effort by Larry Ellison, Pres of Oracle. Oracle competes with Microsoft. Oracle was loosing market share to Microsoft at that time (and they still are . . .). Ellison convinced Clinton to wage war with Microsoft in hopes that Oracle would gain a better position in their market. Microsoft successfully defended itself against this attack. A settlement was finalized that all parties agreed to abide with.

The USDOJ should also honor this settlement. To continue to attempt to destroy an American company the way you have, is contrary to all the beliefs of our free society.

Regards,

Jim Lang

MTC-00012863

From: LEONARD ABRAHAM
To: Microsoft ATR
Date: 1/16/02 5:03pm
Subject: antitrust suit

as a microsoft shareholder i think the government should close the case. time and money have been spent and i believe the company has performed in a just manner. many of their competitors would like to carry this on i think because they are unable to come up with solutions for their own companies.

MTC-00012864

From: RADUIP
To: Microsoft ATR
Date: 1/16/02 5:03pm
Subject: Microsoft Settlement

I believe that the best punishment for Microsoft would be: "NO GOVERNMENT INVOLVE IN THE SUIT OR THEIR AGENTS SHALL USE ANY MICROSOFT PRODUCTS FOR 5 YEARS" This would leave the consumers alone to make their own choices. Microsoft competitors have instigated this suit.

CNN only advertises AOL on their channels. No MSN,Earthlink,Mac.com,etc

Sincerely

Radu Pacurariu, MD
920 Wyoming Ave.
Forty Fort, PA 18704

MTC-00012865

From: Darin Johnson
To: Microsoft ATR
Date: 1/16/02 5:04pm
Subject: Microsoft Settlement

If this case cannot be abandoned outright, it should be settled as quickly and painlessly as possible. It is an embarrassment that the Justice Department ever sought to punish one of America's most productive and important companies. The decision to do so seems to have been based on politics instead of reason.

Darin Johnson
Seattle, WA

MTC-00012866

From: Tom Kaitechuck
To: Microsoft ATR
Date: 1/16/02 5:05pm
Subject: MS Buys (Some) SGI Patents

It has come to my attention that Microsoft has recently acquired fundamental patents

for 3D graphics technology and techniques from SGI. This is a dangerous situation, as it grants Microsoft significant leverage over the independent 3D hardware manufacturers who are currently supporting the only rival to Microsoft's Direct3D graphics API, OpenGL.

Microsoft isn't in the PC hardware business, and it's unlikely that the patents will change its technical strategy. But they do add significantly to its bargaining position with hardware vendors, giving Redmond important new leverage. Rival APIs, principally OpenGL, are kept alive through the support of graphics hardware vendors. And for a hardware partner, avoiding a lawsuit, or gaining a contract to work on future versions of Xbox, may well outweigh the advantages from continuing to support OpenGL.

Microsoft has in the past worked to delay and distract advances in 3D graphics technology, such as in the abortive "Fahrenheit" plan with SGI in the 1990s. During that period, SGI was transitioning from selling Unix-only workstations to begin selling workstations running Microsoft's Windows NT. At the same time, OpenGL was gaining on Microsoft's Direct3D in terms of features, hardware support, and developer support. If SGI wanted to sell NT boxes, SGI would have to agree to the Fahrenheit plan. The perfectly timed Fahrenheit deal slowed that advance of OpenGL by, among other things, reducing SGI's active promotion of it, and allowed Microsoft's Direct3D to gain a strong lead.

Yet OpenGL support still survived due to the interest of software developers and the support of third party 3D hardware manufacturers. This latest move by Microsoft to acquire core 3D technology patents would finish the hatchet job, granting Microsoft the power to force third party 3D hardware manufacturers to drop support for OpenGL, and ultimately stifle competition and innovation in the marketplace.

Please do not let this come to pass.

Thank you,

Tom Kaitechuck

MTC-00012867

From: Katy Bagierek
To: Microsoft ATR
Date: 1/16/02 4:47pm
Subject: Microsoft settlement

My opinion: Bill Gates and Microsoft have created thousands of jobs, hundreds of millionaires and have improved US industry and government. There is a lot of competition out there and anyone could surge ahead. There's an old saying that if a person could build a better mousetrap the world would beat a way to his doorstep. That's what Bill Gates has done, and now they're trying to hang him for producing that better mousetrap. Antitrust laws should be abolished. They don't protect the consumer who can always go elsewhere, they just destroy all those good mousetraps.

Katy Bagierek
Dillingham, AK

MTC-00012868

From: Jskenyon76@aol.com@inetgw
To: Microsoft ATR

Date: 1/16/02 5:12pm

Subject: DOJ Actions against Microsoft
 "Justice" Department actions to bring down Microsoft seem anything but just to me. Microsoft has built just about the best mousetrap that has ever come on the scene in a country once noted for recognizing and rewarding business endeavors that benefit the entire country. And Microsoft has made a tremendous contribution to the development of information technology that is beneficial to our entire economy and America's continuing leadership in the business world. They have done this in a fair fight in a highly competitive game and, because some of their less successful competitors have whined, DOJ has decided to punish Microsoft's success. Where is fairness; where is justice; where are integrity and honesty? Let's get on with rewarding success rather than punishing it. And at the same time, let's stop punishing those, including self, I proudly note, who have recognized Microsoft's contributions by investing in Microsoft stock and find themselves also financially abused by inappropriate government intervention in a highly successful business enterprise that has vastly benefitted the entire country including those who would tear it down. Please let us pursue both justice and sanity, allowing business acumen, common sense and market forces free rein.

Respectfully,
 Jack S. Kenyon

MTC-00012869

From: Patrick O'Brien
 To: 'microsoft.atr(a)usdoj.gov'
 Date: 1/16/02 5:19pm
 Subject: Leave Microsoft Alone!

I am one of many information technology professionals whose income depends, in large part, upon Microsoft. Please stop the attacks against this company!

Patrick O'Brien
 3130 Lafayette Ave.
 Saint Louis, MO 63104

MTC-00012870

From: Dick Norman
 To: Microsoft ATR
 Date: 1/16/02 5:13pm
 Subject: Microsoft Settlement
 DOJ,

As a successful computer consultant for the past twenty years to numerous major corporations including IBM, Michelin, Arco, Deutsche Bank, and Fortune, I appreciate the opportunity to comment on the Microsoft Settlement.

Microsoft's success has been largely due to their ability to develop "best of breed" applications and to distribute and market those worldwide. Their success is also due to the strategic blunders of their competitors. From Novell to WordPerfect to Oracle to Netscape, each of these competitors (and many more) has failed miserably in critical areas of product design, marketing, or support. We have been led to believe that the government should protect these software vendors from their own incompetence. Here are just a few examples of what is a very long list.

WordPerfect failed to grasp the significance of the graphical user interfaces (GUI) used by

the Macintosh and Windows. As a consequence, they were several years late to market with a Windows based product—a very costly blunder. Their market share fell from over 80 percent to well under 10 percent in the very important word processing/suite segment.

Novell once "owned" the file server market. They, like WordPerfect, hung on to their character based user interface. Recognizing this weakness Microsoft developed a competitive product which was so intuitive that server administrators rarely had to attend classes or refer to manuals. Novell still has a few "best of breed" features which are totally obscured by Microsoft's ease of use.

Oracle developed a very good database product. But their real strength was there marketing organization which recognized that Oracle needed to run on virtually every platform. Oracle has been very successful, but has started to lose large numbers of sales to Microsoft's SQL Server, which is considerably easier to install, configure, and use.

Netscape was initially one of the brightest stars in the Internet universe. Netscape virtually owned the Internet browser and server markets. Their browser and their web server were simply the best. But following their IPO, they had lots of money, which allowed them to go off in 20 different directions rather than focusing on their core business. As a Netscape business partner, I received a blizzard of mis-directions on where they were headed.

Microsoft's competitors would like the public to believe that it isn't possible to be successful in the software industry today. But success stories abound, both with large and small software companies. Visioneer's PaperPort, IBM's VisualAge for Java, IBM's ViaVoice gold, NetObjects Fusion are just a few examples of "best of breed" software where Microsoft doesn't dominate.

It is instructional to visit the software department of virtually any computer store in the world where Microsoft enjoys less than ten percent of the all important shelf-space—a key indicator in retailing.

Rather than being a predator, Microsoft has repeatedly capitalized on the strategic blunders of other software companies. The software business, with its very short product life cycles, is much like the stock market or the crap table. You invest your money and take your best shot. If you lose, you have no one to blame but yourself. I know. I have competed unsuccessfully with Microsoft in several spaces.

Because I believe the lawsuit against Microsoft was nonsensical from the beginning, I would like to have the Microsoft case settled—once and for all.

Dick Norman
 President/CEO
 Strategic Workflow Technologies, Inc.
 Dallas, TX
 E-Mail: dnorman@mail.swti.com Phone: 972-393-7369 Fax: 972-304-8759

MTC-00012871

From: Donald Strand
 To: Microsoft ATR
 Date: 1/16/02 5:20pm

Subject: microsoft settlement

To whom it may concern,

The computer industry could create much better products for everyday users if Microsoft didn't have a stranglehold on the software business. I urge the DOJ to consider making Microsoft release all of its code so that competing companies could develop software and competition would be restored to the software industry. What a great benefit this would be to the consumer.

Donald Strand

MTC-00012872

From: ECU00000
 To: 'microsoft.atr(a)usdoj.gov'
 Date: 1/16/02 5:23pm
 Subject: Microsoft Settlement
 Drop the suit entirely!
 John C. Beyer, MD

MTC-00012873

From: Stewart Adcock
 To: Microsoft ATR
 Date: 1/16/02 5:22pm
 Subject: Microsoft Settlement
 Honorable Sir,

It has come to my attention that Microsoft has recently acquired several fundamental patents for 3D graphics technology and techniques from SGI, Inc. This is a dangerous situation; it grants Microsoft significant leverage over the independent 3D hardware manufacturers who are currently supporting the only rival to Microsoft's Direct3D graphics API, OpenGL. I believe this is further indication that Microsoft intends to extend its monopoly by squeezing out competing standards and technology.

This latest move by Microsoft to acquire core 3D technology patents provides Microsoft with the power to force third party 3D hardware manufacturers to drop support for OpenGL, and ultimately stifle innovation and competition in the marketplace. Discountinued support for OpenGL by third parties will seriously inhibit the ability of other operating systems to offer a feasible alternative to Microsoft's offerings for graphic intensive applications. Computer game developers will have no option but target Microsoft's gaming platforms. Scientists and engineers will be forced to use Microsoft's visualisation platforms.

Please do not let this come to pass.

Thank you,
 Stewart Adcock.

Stewart Adcock stewart@linux-domain.com www.stewart-adcock.co.uk
 Dept. Chemistry & Biochemistry,
 University of California, San Diego 4234
 Urey Hall, 9500 Gilman Drive, La Jolla, CA
 92093-0365 USA
 lab: +1 858 534 0956 home: +1 858 453
 2577

CC:stewart@bellatrix.pcl.ox.ac.uk@inetgw

MTC-00012874

From: Richard Bryant
 To: Microsoft ATR
 Date: 1/16/02 5:22pm
 Subject: Microsoft Settlement

Ask RealNetworks Inc. if streaming audio and video should be part and parcel of an operating system.

RealNetworks is a *classic* example of Microsoft's predatory practices. If you can

live with this, you need look into no other examples.

As a citizen, I don't want anti-competitive policies to cause Microsoft to be non-profitable, I want these policies to have the constructive effect of causing Microsoft to focus on the quality of its existing products, the reliability of which is becoming more critical to this nation every minute.

Rich Bryant
7903 Sugarcane, Ct.
Tampa, FL 813-980-6163
Rich Bryant, CEO, Business Technologies
rbryant@biztekinc.net
<http://www.biztekinc.net/>
Specializing in the development of
Electronic Commerce, Online Communities
and Web-enabled databases.

MTC-00012875

From: Brenda Largent@matria.com@inetgw
To: Microsoft ATR
Date: 1/16/02 5:24pm
Subject: Microsoft Settlement

Jeez—this clearly political case was a loser from the start. In the end, Microsoft just has a more popular product. Tough cookies, Netscape. No settlement is acceptable, because the suit should have never been brought.

MTC-00012876

From: HastingsGOP@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 5:26pm
Subject: Microsoft

Dear DOJ:
Re: your solicitation of consumer opinion concerning the Microsoft settlement

I thought the entire case against Microsoft was weak, its very existence an affront to honest free-market businesspeople.

Note: I use a Power Macintosh, and have always been an Apple user. I am hardly affected by Microsoft. But its business practices have always appeared to me to be earnest, and to think the government would be punitive toward a successful venture is sickening. Microsoft 1.) pays its taxes, 2.) has rewarded a lot of working people with well-to-do incomes and equity, 3.) has a solvent 401-k, and 4.) hasn't cooked its books while finagling its financial situation, as some people in Houston seem to have done lately.

So why on earth did my government ever try to dismantle this company, which exemplifies all that is good about capitalism and the American work ethic? Because of the complaints of its competitors, who apparently weren't as creative or far-seeing or successful as Mr. Gates and his legions?

I have never held, and do not hold, any financial interest in Microsoft, and have never been employed by the company. My perspective is that of an informed citizen who has followed government intervention in the private sector since the mid-1970s—with knowledge of American economic and political history since well before Theodore Roosevelt's first interventions. At least TR had a point, and some righteousness. The Clinton justice department did not.

Tim Hays
Chairman
Greenburgh Republican Town Committee
Hastings-on-Hudson, NY 10706

NY-20 CD
CC:nrdc@ix.netcom.com@
inetgw,twhazlett@yahoo.com@inet. . .

MTC-00012877

From: Sfikas, Ted
To: 'Microsoft.atr(a)usdoj.gov'
Date: 1/16/02 5:33pm
Subject: Microsoft Settlement

Good day,
When I look at this case in an unbiased manner (which is difficult for me as I am in the IT industry), I see that this issue has nothing to do with technology and everything to do with the basic building blocks of our capitalistic society. Although I must admit that I am a Java-proponent, I am a capitalist first and foremost. The idea of forcing MicroSoft to NOT innovate and NOT expand its business in areas that make sense for itself and for the consumer is offending to the very nature of capitalism, but as we have all learned in Economics 101, one of the serious flaws of capitalism is the issue of monopolies and to a lesser extent, collaborating oligopolies.

Neither phenomena should be allowed to exist in the Information Technology sector as this industry has become the lifeblood of the US economy. It needs to be protected in such a way that healthy competition will encourage dozens of corporations to continue their marvellous innovations. At our current point in time, the IT industry is sick and weak from both recession and redundancies within the labor market and corporate inventories. It will become more and more difficult to build a healthy capitalistic environment as the next few crucial years go by and the country starts taking their applications to the next levels of international computing.

It's time to put a stop to this now, before irrevocable damage is done. Although MicroSoft should not be asked to surrender their intellectual property, they MUST decouple their middleware services from their operating system.

Can you imagine what the world would be like if at the beginning of the Transportation revolution(ie. way back when the car was invented on top of the engine), there was only a single Big Corporation that could make the highways and roads that vehicles could drive on? And then that Big Corporation acquired the few companies in the world that made automobile tires? What if a better vehicle with better tires wanted to drive on the same road? Can you imagine the Big Corporation spending its time, effort, and money inventing ways in which to make the better vehicle's tires deteriorate faster than its own while travelling on its roads? It's a perfect analogy and everyone knows it—the point of it is to illustrate that MicroSoft itself will be better off if it is forced to decouple because it could concentrate on doing what it supposedly does best.

Thank you,
Ted Sfikas
Software Architect
206.215.7452
Ted.Sfikas@nordstrom.com
Nordstrom.com

MTC-00012878

From: Ray at MBS

To: Microsoft ATR
Date: 1/16/02 5:41pm
Subject: Microsoft Settlement
Microsoft Settlement

I am a software developer,a Microsoft customer and a Microsoft investor. I am pretty certain that Bill Gates wakes up every morning wondering what he can put in his products that will cause me to upgrade to a new version. He also hopes that I will develop software and sell some that needs his new operating system and office products. A few years ago we had a product that sold lots of NT and Office. Someone from Microsoft called to thank us. But if Microsoft comes up with nothing over a long enough period of time the sales will drop to selling software to only new computers that are not replacements for old computers. That would hurt the bottom line. His competitors would like to fix it so only they can come up with new features that they can sell me. That does nothing for me. All I need is 5 different standards to support.

Microsoft reminds me of Ford and the auto industry in 1915. Ford at that time had 90 percent of the auto market. Ford had to compete with GM who put out a car that was just like the Model T only better. By 1928 Ford had less than 50 percent of the market. Microsoft competitors insist on building an operating system and applications that Microsoft users can't run. If GM had built a car that Ford owners could not drive, they would never have sold Chevies. GM was smart enough to build cars that any Ford driver could operate with out lessons. Microsoft should not be held accountable for his would be competitors stupidity. It costs a 100 bucks to buy windows. But it costs 500 to a 1,000 bucks to train someone to run free Linux. There is a clue there if you can see it. When someone is bright enough to do that . . . to make a system just like windows only cheaper or better, Microsoft will no longer have 90 percent of the Intel market. Microsoft is fully aware of the danger that poses. Microsoft just filed a suit trying to stop little Lindows from using that name. This tiny start up is planning to make a system that is just like windows only it is supposed to cost less an be a tiny bit better.

Microsoft did not sue to stop Netscape, Sun or Linux. They are suing to stop Lindows. There is a second clue there. If you want to take Microsoft down a notch or to make them get off Lindows back. I own Microsoft stock and still have a loss on it, but I would also like to develop for Microsoft competitors. The Suns, Netscapes, UNIX, and LINUX people don't compete with Windows. To put it in transportation terms they want to stop Ford from selling improved cars. They hope that will help their train, plane, truck, bus and taxi businesses. None of them has a product that competes with Windows.

When no one has a competitive product, it is not surprising that the only product on the market has a monopoly.

Microsoft keeps redesigning its Model T. It now is a 55 ford Fairlane with a heater. air conditioning, and cruse control. What needs to happen is for some one to build a 55 Chevie that sells for less than a 55 Ford.

For Microsoft the big problem is not this settlement. The problem is they have run out

of new ideas to put in the operating system to get clients to upgrade. That is why XP now comes in a beautiful shade of blue. There chief designers solution is to try to just lease you an operating system and office software instead of selling it to you. That is right up there with Fords "You can have any color you want as long as it is black."

Microsoft has done nothing that Ford did not do. And Microsoft is no more secure in its dominance than Ford was. All government can accomplish is to turn the software industry in to the aircraft industry where all consumers can afford is a ticket to ride. We can transform the software industry from being a parallel of the auto industry to being a parallel of the aircraft industry. Is that what government wants? Perhaps you would prefer a United Airlines type software industry. But it would never create the jobs Ford and GM have created.

I do not know if the Lindows people are a GM or not, but I am certain there is a GM out there if only you will let them have at Microsoft. The problem is any restrictions you put on Microsoft will also apply to his potential competitors.

The problem is the people who think they are Microsofts competitors are not. They are not in the same game . . . That is why they can't defeat Microsoft. When some one does systems that any windows user can run with out training, they will have Gates in their cross hairs. As long as so called competitors fail to do that you will not stop Microsoft's dominance no matter what the penalty. In fact if you broke Microsoft up one branch would dominate Pc's again, and the others would destroy Oracle and Sun, and Netscape.

The problem is not with Microsoft. Microsoft is just blessed with stupid would be challengers and cursed with government lawyers that think business principles have changed because this time they are dealing with bytes rather than iron and rubber.

Sincerely
Ray Malone
MbsSoftware
251 East 4th ST
Chillicothe Oh, 45601
RayMalone@MbsSoftare.com
740 772 6705

MTC-00012879

From: DDf1tchr@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 5:37pm
Subject: Microsoft Settlement

Get the settlement done and let them get on with business. It's the stupid lawsuit that led to some of the stock market problems we've had, particularly the NADAQ.

David Fletcher
Denver, NC

MTC-00012880

From: Larry Riedel
To: Microsoft ATR
Date: 1/16/02 5:37pm
Subject: Microsoft Settlement

As a software professional and someone who tries to not use Microsoft products, my preferred solution to the problem of Microsoft's monopoly would be to require them to provide equal access for everyone to all the file and message formats for all of its

software, including Office files multimedia files, client and server network messages, and any other format used for data which is stored by any Microsoft software, or sent or received by any Microsoft software, now and in the future.

Furthermore, they would need to be required to provide that information at least a couple of months—before—they release the software which uses the formats; otherwise they will continue to do what they have done in the past, which is keep changing the formats as often as possible and then releasing an "updated" version of their software which knows the new format before the previous format had been reverse engineered by the people trying to write compatible software.

This solution allows people to write software which interoperates with Microsoft software, but offers a better value than Microsoft software. Microsoft has prevented this from happening in the past: not allowing people to interoperate with their software, thus retaining their monopoly and precluding competition.

Larry

MTC-00012881

From: meyermail
To: Microsoft ATR
Date: 1/16/02 5:38pm
Subject: Microsoft Settlement
Harry Meyer
1716 Euclid Ave.
Bellingham, WA 98226
January 16, 2002

Department of Justice

Dear Sir or Madam:

Please let us get by this Microsoft litigation. It has been going on for years with the only result being that it helps to depress the economies in Washington state and elsewhere in the country and gives a lot of lawyers something to do. The nine holdout states may get some small individualized reward by further punishment of Microsoft to the detriment of the rest of the country and themselves. It is my belief, that the states of California and Massachusetts do not want to share the wealth of technology with the rest of the country. They want to put themselves in first place by punishing Microsoft rather than competing with them.

Microsoft's proposed settlement would have been good for the country in general. Please stop this needless litigation and endless argument and get back to moving our economy forward. Microsoft came up with a reasonable settlement that would have been of benefit to all. There is no sense in destroying Microsoft to please and benefit a few. The Department of Justice has the power to stop the nonsense now. Please do it.

I look forward to a quick and reasonable settlement based on the above thoughts.

Sincerely,
Harry Meyer

MTC-00012882

From: Zimran Ahmed
To: Microsoft ATR
Date: 1/16/02 5:43pm
Subject: Microsoft Settlement
To: Renata B. Hesse
Antitrust Division

U.S. Department of Justice
601 D Street NW Suite 1200
Washington, DC 20530-0001

Microsoft's current corporate licensing practices continue to display the predatory maintenance of monopoly the DoJ trial was supposed to suspend.

In their new license 6.0, <http://www.microsoft.com/licensing/> Microsoft offers deep discounts to customers who agree to never use or consider a competitors profits. This offer is against the backdrop of a 25%-100%+ increase in software licensing prices.

This abuse of monopoly power to extend monopoly by keeping out competitors is *exactly* what is hampering innovation in the technology industry and what anti-trust law is supposed to address. Competitors should be allowed to create the best products they can and customers should be able to select whichever system they feel provides the best value. Price differentiation used to exclude competitors is a clear abuse and maintenance of monopoly power, and the fact that Microsoft is engaging in it even before the trial is concluded demonstrates how toothless the "settlement" is.

I would urge you to strike the current settlement and draft something which addresses Microsoft monopoly abuses in the past, in the present, and limits their ability to commit similar abuses in the future. Microsoft's disdain for the court is plain to see, and if the current "settlement" passes, I fear disdain for the DoJ will be far more widespread.

Sincerely,
Zimran Ahmed

MTC-00012883

From: Kurt Huhn
To: Microsoft ATR
Date: 1/16/02 5:48pm
Subject: Microsoft Settlement
Honorable,

I recently became aware of a deal between Microsoft and SGI wherein SGI has sold and transferred patents and knowledge surrounding OpenGL technology to Microsoft.

This troubles me for several reasons, primarily because this allows Microsoft a great deal of leverage over independent hardware and software vendors. In the past, Microsoft has tried to squash the further development of OpenGL by various hardware vendors through deals and brokerage with SGI. These largely failed though, thanks to a loyal base of hardware and software developers that recognized the superior technological capabilities of OpenGL, and continued in its development. However, because of these deals, OpenGL lost it's foothold in the marketplace and Direct3D took over as the leading API for 3D visualization.

Now it appears that Microsoft may be able to squash, once and for all, the only competitor to it's Direct3D API. If Microsoft own the patents to both Direct3D (part of the DirectX API), and OpenGL, it can strongarm hardware and software vendors into supporting only Direct3D. Through these tactics Microsoft will destroy the abilities of hardware and software vendors to choose the

API they develop with, and kill the only competitor to Direct3D. This deal with SGI flies in the face of anti-trust activities. It seems as if Microsoft cares not what our judicial system may decide, but only on gaining an even larger monopolistic market share in the US. We can be certain of only one thing from this deal, that Microsoft will use these patents to bully hardware and software vendors, and engage in unfair business practices while doing so.

Please do not let this slip by unseen.
Kurt Huhn
Director of Systems and Support
Bungo Inc.
kurt@k-huhn.com
khuhn@bungo.com

MTC-00012884

From: AUSRETIRED@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 5:49pm
Subject: Microsoft settlement

I think it's high time to settle this matter on the basis of what has been proposed.

To prolong this matter and hear radical efforts to prolong it even more is a disservice to this nation and to its people.

As a WWII enlisted combat Inf. vet of 3d ID (Audie's outfit)—I say enough yet!!!!

We got enough enemies without our country trying to "do us dirt" to add our own home grown varieties to the pot.

Cut it off!!

Make an end of it!!

Get on with the nation's business, stop ALL THE CRAZIES!

COL. Dave Jolly Jr. AUS Retired.

MTC-00012885

From: P.Clemons
To: Microsoft ATR
Date: 1/16/02 5:46pm
Subject: Microsoft Settlement

Feedback regarding this matter:

I feel that the message has gotten through to Microsoft. Any further legal action seems to me to possess dubious value.

The various software schema will evolve, regardless of Microsoft. Let them labor through a probationary period. They are under the scrutiny of the entire "software world".

MTC-00012886

From: Jake Kruse
To: Microsoft ATR
Date: 1/16/02 5:52pm
Subject: My Opinion

I'll keep this short. . . . If your idea was to remedy the situation, you failed. Simply put. Please, please, if you are going to do something, do it. Don't plan to remedy the situation and instead just waste lots of time in the courtroom. Go over there and REALLY fix the problem of the MS Monopoly and the problems it has caused, causes, and will cause.

Jake Kruse
Teleperformance USA

MTC-00012887

From: william davis
To: Microsoft ATR
Date: 1/16/02 5:51pm
Subject: Microsoft Settlement

Please support the Microsoft Settlement.

Bill Davis
Santee, South Carolina

MTC-00012888

From: Andy Boyd
To: Microsoft ATR
Date: 1/16/02 5:56pm
Subject: Microsoft Settlement

I just wanted to take a moment and voice my strong desire to have the DOJ settle the Microsoft case once and for all. The case has been tried, appealed, and settled, but now it seems like Microsoft's competitors are trying to delay the proceedings for purely commercial reasons. None of these competitors (Netscape, Oracle, IBM, Sun, etc.) have any problem if they have a dominant market share in a particular product, but as soon as Microsoft starts to compete successfully with them they run to court to try to accomplish what they can't in the market place.

I urge the DOJ to finalize this process as soon as possible and return stability and confidence to the technology markets, which is what is truly needed to enhance competition and innovation.

Andy Boyd
425.894.3415

MTC-00012889

From: J. Meier
To: Microsoft ATR
Date: 1/16/02 5:57pm
Subject: MICROSOFT SETTLEMENT
1932 Orchard Drive
Cedar Falls, IA 50613-5741
January 15, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I am writing to express my opinion that the lawsuits against Microsoft over the last three years have been flawed and unfair from the start. Microsoft is a victim of political interests. Nevertheless, I am happy to see both parties have agreed upon a settlement and I hope that it comes to fruition at the end of the month.

There terms of the settlement are more than fair. Microsoft has agreed to disclose internal interfaces and protocols, design future versions of Windows' so that competitors can more easily promote their own products, and form three-person team to monitor compliance with the settlement. These concessions and more should appease all parties and although flawed in many ways, I hope they will ultimately serve the IT sector in a positive way. I urge your office to hold the public's best interests in mind when deciding on whether or not to finalize this settlement. Please quell the nine states that are opposing and take a stance that gets government out of the way of big business.

Sincerely,
John Meier

MTC-00012890

From: Mark F. Matis
To: Microsoft ATR
Date: 1/16/02 5:58pm
Subject: Microsoft Settlement

I am thoroughly disgusted with the settlement that DOJ has negotiated with

Microsoft. The lawsuit against the "evil empire" was one of the few decent acts of the DOJ under the previous administration. The proposed settlement will do nothing to fix Microsoft's criminal acts nor to prevent similar conduct by them in the future. Microsoft repeatedly lied outright during the proceedings. Microsoft has repeatedly ignored and undermined previous settlements. The lying and non-compliance were the reason Judge Jackson was righteously indignant. Yet DOJ has now effectively rolled over and invited Gates and Ballmer to "do it to us one more time." Shame on you! I thank God that at least Florida and eight other states have enough brains to see the failure of your proposal, and enough guts to stand against this subversion of justice.

—Mark Matis
1002 Poinsetta Street
Cocoa, Florida 32927

MTC-00012891

From: Sandeep.Agarwal@eng.sun.com@inetgw
To: Microsoft ATR
Date: 1/16/02 6:02pm
Subject: Microsoft Settlement

I think the Microsoft Settlement is totally inadequate and will not prevent Microsoft from becoming a monopoly.

Thanks.

Sandeep Agarwal Phone: 650 786 9932
Sun Microsystems Fax: 650 786 2512
UMPK17-201 Office: MPK17-2506b
17 Network Circle email: sandeepa@eng
Menlo Park
CA, 94025

MTC-00012892

From: Ggpbob@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 6:03pm
Subject: Dept. of Justice.

It would seem to me that everyone concerned would be eager to settle this long running suit that has prolonged the setback which has hurt the whole country. Even those states must be able to see that they have protested too long. Let us re-move this last thorn in the side of recovery.

R.T. Kennedy

MTC-00012893

From: Joseph Glandorf
To: Microsoft ATR
Date: 1/16/02 6:06pm
Subject: Microsoft Settlement
Sirs,

For what it is worth, the prosecution of Microsoft was simply a political extortion game. The government attorneys' goal has never been justice or to make things better for customers of Microsoft, it has simply been a vendetta against the most successful company in the technological arena.

Liberals have to scheme up these things from time to time to justify their hatred of capitalism. Since private lawyers will get another unprecedented windfall from this settlement (like the tobacco, asbestos and breast implant settlements/extortions) I suppose even the liberals will be happy with the outcome. Because, no doubt substantial funds from the lawyers' settlement monies

will find their way to Democratic politicians who will further their liberal interests.

Is there anyone, anywhere, who seriously thinks this lawsuit has done anything but enrich lawyers?

What a waste. Please simply end it.

Sincerely,
Joe Glandorf
Boston, MA

MTC-00012894

From: aandm@postoffice.pacbell.net@inetgw
To: Microsoft ATR
Date: 1/16/02 6:07pm
Subject: Microsoft

It is past time to go on to other things. With the economy in such a bad way it is hard to understand why The DoJ wants to break up a great company like MSFT. Do you really want to add to the unemployment rolls?

Mr Arthur Wolf

MTC-00012895

From: martin ferrini
To: Microsoft ATR
Date: 1/16/02 6:12pm
Subject: Microsoft Settlement

Regarding the settlements terms of Microsoft's repeat offender status as a monopolist please consider the wisdom of forcing Microsoft to open it's API's to competitors as espoused by Scott Rosenberg in his article for Salon.com:

<http://salon.com/tech/col/rose/2002/01/16/competition/index.html>

I couldn't have explained the need for such an apt and necessary remedy better myself.

Martin Ferrini

MTC-00012896

From: Eric Close
To: Microsoft ATR
Date: 1/16/02 6:13pm
Subject: Make MicroSoft pay for their strong arm tactics and no freebies to schools that squeezes Apple out either!

You screwballs better not let M\$ off the hook on this suit or you'll be looking for a job come the next election. It's blatantly clear what M\$ did was dirty rotten business practices and, it's also clear that DOJ would like to let them walk with a slap on the wrist. Thank god 9 states are doing what's right because obviously DOJ can't / won't. We are watching you. . .

—Eric

In theory, there is no difference between theory and practice. In practice, there is a big difference.

MTC-00012897

From: Animal
To: Microsoft ATR
Date: 1/16/02 6:18pm
Subject: Microsoft Settlement

Hello my Name is Justin Thomas (UK).

My opinion on this matter is based upon my exposure to Microsoft over the last 7 years. I am a qualified BSc Software Engineer.

As an end user I was very surprised with WindowsXP containing so many programs, which did not constitute core to its functionality. My fear is Microsoft are already rubbing salt into old wounds by being allowed to ship so much. Examples include, Rollback software, Firewall, Internet

connection sharing, Instant Messenger, Photo Editing, CD burning. Now its true these add benefit but they do so much harm to other companies. If Microsoft believes their products are the best and we want them then they should have to sell their products as other companies have to. Allowing Microsoft to package all of these features into the OS means other companies are being denied purchases because many individuals lack the knowledge or are content with what is given. This is so unfair on many companies. I do like XP but I also like to purchase the software such as Firewalls or photo editors. Microsoft should never of been allowed to bundle the software in this manor because it gives them such an unfair advantage.

On another note as a developer I can no longer write software that is truly cross platform. Microsoft seems to take the attitude ?Microsoft way of the highway?. This really upsets me because XP has with drawn the Java Virtual Machine from its OS in an attempt to kill it, in favor of its new c# and .NET architecture.

If they are not stopped soon there will be only one company remaining and we will all be at their mercy.

I beg you to take some serious and powerful action to stop Microsoft in their tracks or at least make them adhere to the same market rules. Can you imagine a world with only one model of car? The one car fits all. This is where the computers users are heading because when Microsoft can't have things their way they try and destroy it.

Justin Thomas
57 Longford Way
Didcot
Oxfordshire
England
OX11 7TN

MTC-00012898

From: Briss
To: Microsoft ATR
Date: 1/16/02 6:20pm
Subject: Microsoft Settlement

Microsoft should suffer penalties for it's monopolistic behavior. Mr. Gates protestations notwithstanding.

Microsoft has severely limited the software development of it's competitors. Take Apple Computer for example. The Judge ruled that Windows was not a copy of the Macintosh Operating System. With the deep pockets Microsoft has, it browbeats any and all competition in the marketplace.

Brian Freeman
macsrxx@mac.com

MTC-00012899

From: Jason Shuck
To: Microsoft ATR
Date: 1/16/02 6:22pm
Subject: Microsoft Settlement

In my opinion the best way to settle this case is to get cash donations instead of hardware/software donations to give to the schools of this country. If the donation was the same value as that of the proposed hardware/software donations schools would have the right to choose individually how they want to spend the donations. By forcing Microsoft hardware/software onto a school district is doing absolutely nothing to resolve

Microsoft's monopoly status. It merely serves to further that status just in a different sector of the economy. It serves to hurt competition in that sector and it serves as a "pat on the back" to Microsoft for doing such a good job as a monopolist. I don't believe that's the message that you're trying to convey at the end of this hearing.

In summary, cash donations only. Not hardware/software.

-Jason
Jason Shuck
Systems Administrator
Department of Psychology
University of Iowa
<http://www.psychology.uiowa.edu>

MTC-00012900

From: W. Picou
To: Microsoft ATR
Date: 1/16/02 6:22pm
Subject: Microsoft Settlement

Dear Sirs,

I understand that the Department of Justice is soliciting comments on the proposed settlement in your suit at law with the Microsoft Corporation. Whether these comments are of any use will be for you to determine.

If memory serves, Microsoft is accused of providing software to the general public without charge. If the suit had to do with the quality of the software being provided, I could see some basis for the proceedings.

Unfortunately, what seems to have aroused Leviathan was the fact that the customer was not required to expend funds for the software received.

Perhaps things are done differently in the District of Columbia, but in most of the country giving something of value away for nothing is not actionable—it may get you a psychiatric evaluation, but it generally doesn't land you in court (except as regards that visit to the shrink). However, the full weight of the government has been brought to bear in the interest of preventing exactly what? Microsoft's domination of the burgeoning badly-designed-barely-functional-whoops-there-goes-another-blue-screen-of-death-operating-syst em-wan nabe market? It may not of occurred to you, but did you ever consider that Microsoft owns the market segment it does because no other corporation will risk its reputation on such shoddy products. There are ancillary issues—accusations of price-fixing, strong-arm exclusionary contracts, etc.

But none of these have been proved, nor are most illegal—reprehensible maybe, not illegal. Set these against a flawed premise; a blatantly, irrationally, biased judge issuing Through the Looking Glass rulings; and the spectacle of Microsoft competitors using the Department of Justice as a stalking horse. Whatever sins or peccadilloes Microsoft committed pale in comparison to the deliberate actions committed by those in charge of this case.

If there were to be true justice in this case, the Department of Justice would proffer apologies to Microsoft, reimburse them for all of the expenses in this case, then initiate action against those state governments that are trying to blackmail Microsoft with further litigation. However, I am not foolish enough

to suspend respiration until this comes about. I would think a pro-forma settlement would be acceptable, with no admission of culpability on either side. I would not think allowing (or requiring) Microsoft to stuff classrooms full of their product would be to anyone's benefit—the National Education Association is bad enough, why saddle schools with any more handicaps.

I have some sympathy with the predicament your department is in, but it is tempered by the knowledge that it is in the main self-inflicted.

Sincerely yours,
Wm. Picou
305 West Oak Street
Weatherford, Texas 76086

MTC-00012901

From: jpickens
To: Microsoft ATR
Date: 1/16/02 6:24pm
Subject: Microsoft Settlement

It is my understanding that the anti-trust and anti-monopoly laws are designed to protect consumers from financial and market harm, not to protect competitors of the supposed monopolist from such harm. As such, the proposed prosecution, the actual prosecution, and the proposed settlements in the Microsoft case have all caused more financial and market harm than any possible monopolist practices apparent in this case. I have been a Microsoft customer since the days of the IBM MD-DOS product, and have seen their products consistently improve greatly, and the prices for said products either remain below the level of inflation, and in some cases go lower over time.

I believe the US government's announcement that it was "going after" Microsoft has, to date, been a prime cause of the stock market's technology crash, and has cost me personally, many thousands of dollars. Give it a rest, If the US government doesn't want Microsoft to dominate the PC operating system market, then it should start buying Linux for its own uses, and leave the rest of us alone.

John Pickens
6 Treaty Elm Lane
Shamong, NJ 08088
(609)-268-0767

MTC-00012902

From: hugh nazor
To: Microsoft ATR
Date: 1/16/02 6:23pm
Subject: Microsoft Settlement

The real issues in the settlement are those which do not allow Microsoft to continue to profit unduly from the locked in base it developed with its illegal practices. To do this, all Windows APIs must be made available to other software companies. Having these tools, new applications could be written which would allow truer competition.

Additionally, Microsoft should not be allowed to use the settlement to create even more locked in clients. Giving large quantities of their machines and applications to schools would do just that. They would be using the settlement to gain an advantage in a market in which their products have not been as competitive as elsewhere. The effect

would be a reward for the convicted party—hardly justice.

Hugh Nazor
Santa Fe Solutions
Santa Fe, New Mexico

MTC-00012903

From: Richard H. Miller
To: Microsoft ATR
Date: 1/16/02 6:28pm
Subject: Settlement

Please, Please, Please put aside the continuing litigation and settle this.

Consumers will get much less out of this settlement than the attorneys for the STATES!

What about the damage to one of the most successful corporations—does that matter?

Lets put egos aside!
Settle
Richard H. Miller

MTC-00012904

From: Andy Leontovich
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/16/02 6:35pm
Subject: Microsoft Settlement

To whom it may concern.

I sincerely hope that the settlement results in a computing trust fund set up by the federal government. Microsoft should contribute to the fund and all K-12 schools who wish to use the fund should supply a proof of instructional and administrative benefit before receiving a grant from the trust fund. The schools should be allowed to purchase any computing technologies they choose. The word or concept of 'Microsoft' should not be mentioned or printed in any association of the trust fund. This will keep Microsoft's marketing ineffectual. It is essential that the administrators of the schools acquire the equipment and software that best suits the needs of the students and both students, instructor, and administrators are free from subliminal pressure.

Allowing Microsoft to supply anything but money to a general fund will only extend its monopoly and its marketing practices.

Thank you for allowing my two cents.
Andreamon C. Leontovich
Web Systems Administrator
Washington County
Oregon

MTC-00012905

From: Angela Zimmerlink
To: Microsoft ATR
Date: 1/16/02 6:03pm
Subject: Microsoft Settlement

I support the proposed Microsoft Settlement

MTC-00012906

From: John Carpenter
To: Microsoft ATR
Date: 1/16/02 6:28pm
Subject: Microsoft settlement

Attention: Renata B. Hesse

My Microsoft product experience:

Poorly designed applications that are not user friendly;

* Program bugs that are never fixed or addressed in so called upgrades; one example of many—automatic page numbering some sometimes works, sometimes not unless you print the pages in reverse order;

* Virtually impossible to get a live Microsoft service person on the phone to answer questions that their web site or documentation cannot answer. Microsoft's products perform consistently less well than other competitors (new and vanquished) programs yet they continue to retain a virtual monopoly in the market and drive out competitors. I would like to know what market mechanism permits them to survive so well? It cannot be direct marketing sales as I, an end user, have never seen a Microsoft sales person. It cannot be the quality of their products as they have remained consistently poor. In a normal market they should not be doing so well. One can only conclude that Microsoft is using other non-market means to retain their monopoly. It should be stopped.

John W. S. Carpenter
463 E. Washington Street
Chagrin Falls, OH 44022
Tel. 440-247-6744

MTC-00012907

From: Donald Frank
To: Microsoft ATR
Date: 1/16/02 6:31 pm
Subject: Microsoft Settlement

The settlement agreement appears reasonable and fair to all parties involved. I think the settlement is good for the consumer and this economy certainly needs resolution.

Anne Frank,
4700 Coho Lane,
West Linn, OR 97068

MTC-00012908

From: wendy4163@home.com@inetgw
To: Microsoft ATR
Date: 1/16/02 6:32pm
Subject: Microsoft Settlement

Microsoft should be required to open their APIs to the public.

There should be monitoring into their business practices for a significant period of time, 5 years minimum.

Their practice of forcing OEMs to pay for a version of Windows on every box sold should be eliminated entirely. Major vendors should be able to ship OS free boxes without a penalty.

Their level of interoperability with other Operating Systems is questionable at best. Although much improved since the DOJ cases inception, it is still rife with hidden difficulties. They often mention their adherence to industry standards but in practice there is usually enough of a difference to make inter platform operations more complex than they need to be.

I also feel that a cash settlement should be enforced. It should be restricted to cash only, in a trust fund to be overseen by an independent party. A party not easily influenced.

Thank you
Terry A. Zach

MTC-00012909

From: Irving MEYERSON
To: Microsoft ATR
Date: 1/16/02 6:34pm
Subject: Microsoft Settlement

You have my complete support for the settlement agreement which you negotiated with the government.

I wish the recalcitrant States which are still bedeviling you would give it up, all they are interested in is protecting industries in their States.

MTC-00012910

From: John Hornstein
To: Microsoft ATR
Date: 1/16/02 6:36pm
Subject: Microsoft Settlement
January 15th, 2002

Dear Department of Justice,
I have read the Stipulation/Revised Proposed Final Judgment and Competitive Impact Statement.

This looks like a good disposition of the Microsoft case to me. I'm not a legal or anti-trust expert, just a member of the public. I formerly worked at Microsoft for 8.5 years in product support, mainly in Developer Support. I talked to lots of software developers who were using Microsoft's Visual FoxPro development program.

I don't know what the executives schemed on. I *do* know that Microsoft has for years made information available to the public, through MSDN and KnowledgeBase, articles on using the Windows API as is proposed to be required in the Revised Proposed Final Judgment section III (D). In fact, I remember looking over an article a few years ago on either Microsoft's TechNet or MSDN on how to code your own internet browser.

I know from several of the training classes I had while employed at Microsoft that Microsoft has designed Windows to allow for third party components to be substituted in place of Microsoft's components. One that I remember is the file system. From reading the Revised Proposed Final Judgment, I see that this kind of design is important to the settlement. This is good, for both Microsoft and others. One concern I have on this topic is that hardware vendors will always put their own components into Windows and as a consumer I won't have the choice to purchase Microsoft's unaltered version of Windows. I see this happening already. OEM's put their own "interface" on top of Windows. They stick all their promotional icons and services on the computer. I think Microsoft has tried to make sure I have the choice of using Microsoft's services or middleware by not allowing things like the Internet Explorer icon to be removed. Please don't make it so that consumers can't choose to have an unaltered version of Windows installed on a new computer when it is purchased. Sure, a consumer could just get a "real" copy of Windows from Microsoft but many times OEM's tweak Windows so that it works with their hardware or else various drivers have to be installed in a certain order when Windows is installed. This can create headaches for consumers trying to install an unadulterated version of Windows.

In the Competitive Impact Statement, Part IV, section B(3) relating to section III.C of the Revised Proposed Final Judgment, this is fine but OEM's need to be required to offer All-Microsoft Operating Systems, including All-Microsoft Middleware, if consumers want that on a new computer. This would be in addition to versions of Windows that have had all Microsoft Middleware removed and replaced with middleware du jour. I

personally don't want to be forced to purchase a computer that only comes with, for instance, Netscape Navigator instead of Internet Explorer. Also in the Competitive Impact Statement, Part IV, section B(5) relating to section III.E of the Revised Proposed Final Judgment, the section starting on page 37 with Microsoft Must Make Available All Communications Protocols: underlined: On page 38:

"Section III.E. will permit seamless interoperability between Windows Operating System Products and non-Microsoft servers on a network. For example, the provisions requires the licensing of all Communications Protocols necessary for non-Microsoft servers to interoperate with the Windows Operation System Products' implementation of the Kerberos security standard in the same manner as do Microsoft servers, including the exchange of Privilege Access Certificates. . . ."

This needs to be vice-versa too. Other network and server vendors such as Sun or Novell, need to allow workstations running Windows operating systems to access their servers as if the workstation was running Sun or Novell's workstation software.

In general, the requirements that Microsoft's Middleware components can be easily replaced by non-Microsoft Middleware Products needs to be vice-versa also. Consumers need to be able to switch back to a Microsoft Middleware Product if desired. I believe this is in the Competitive Impact Statement, Part IV, section B(8) relating to section III.H. of the Revised Proposed Final Judgment under the underlined heading End User Access Requirements: in the second paragraph. (the third full paragraph on page 46).

To summarize, I think this is a good settlement. It should be adopted. Figuratively speaking, the judge needs to bop the Attorney Generals of the states not joining in this settlement on the head with her gavel. They need to get with the program !!! This anti-trust case has cost me personally and others much more in lost value in our retirement plans and other equity investments than any \$10 overcharge in the price of Windows could ever add up to. Thankfully we have an innovative and successful company like Microsoft. If Microsoft's competitors were to have the monopoly (and I don't really think Microsoft has a monopoly) you can be sure consumers would be paying more than \$10 to much for an operating system. It would be more like \$500—\$1,000 to much. And computer use would not be nearly as widespread as it is now. I won't name any names here but they are well known and are at least millionaires themselves.

John C. Hornstein
205 Stilwell Oaks Circle
Charlotte, NC 28212
(704) 535-7733
CC: John Hornstein

MTC-00012911

From: xiang min Deng
To: Microsoft ATR
Date: 1/16/02 6:36pm
Subject: Don't hurt Microsoft. It is a great America comp. You should proud of it
Dear Sirs,

Please do any favor to MICROSOFT.
Thank you!
Sincerely,
Xiang min Deng

MTC-00012912

From: joe schmo
To: Microsoft ATR
Date: 1/16/02 6:40pm
Subject: Microsoft Settlement

I have read the documents related to the settlement and find the settlement unsatisfactory. The settlement is a slap on the wrist for a company already found in a court of law to violate anti-trust business laws. Is this justice or politics at work? The DOJ is playing a dangerous game with its credibility. It's no wonder the average American is apathetic and cynical towards our so-called "leaders" in Washington.

R.B.
Algonquin, IL

MTC-00012913

From: John B. Osborne
To: Microsoft ATR
Date: 1/16/02 6:37pm
Subject: Microsoft Settlement

Microsoft has shown its clear disdain for the law in its actions following the last consent decree. This conviction is the only opportunity that consumers have to wrest control of the technology sector from a company that has dramatically slowed innovation and increased prices in an industry where prices have traditionally fallen.

It is imperative that something be done, and the present settlement is too weak, lacks enough enforcement, and has too many loopholes. This weak settlement is unlikely to have any greater effect than the previous consent decree.

Much stronger action is required. A stronger settlement is warranted and required by the facts in the case, especially after being upheld by a very sympathetic court of appeals.

John B. Osborne
<josborne@simpsonosborne.com>
<http://www.simpsonosborne.com/>
Simpson & Osborne, CPAs A.C. Charleston, WV

Phone: 304-343-0168 Fax: 304-343-1895

MTC-00012914

From: Darren Gibbs
To: Microsoft ATR
Date: 1/16/02 6:40pm
Subject: Microsoft Settlement

It is clear that Microsoft has violated anti-trust law by engaging in unsavory business practices for many years. I feel strongly that the company should be *punished* (not slapped on the wrist). I support:

1. dividing the company into an operating systems group and an applications/services group.

Windows should sink or swim according to its own merits, as should the company's applications and services. The monopoly profits from the operating system should not be used to unfairly support inferior products/services.

2. requiring a large cash penalty (actual money, not a donation of goods and services)

to a trust which will go toward school technology purchases.

Some of the enormous and illegal profits that Microsoft's business has generated should be taken from them. I can think of no better place to use the money than in our troubled school system.

thank you,
darren gibbs
6251 Hillmont Dr
Oakland CA 94605

MTC-00012915

From: Chris Jones
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/16/02 6:42pm
Subject: Microsoft Settlement

How to appropriately punish Microsoft for the abuse of power they have exhibited over the past decade:

First, Split the company! Windows operating system should be one company on it's own.

Microsoft Office programs should be it's own company Internet Explorer and other Internet related software should be one company

Retail products such as Xbox and peripherals should be one company

The Office suite of software should be forced to run on the three major platforms, Windows, Mac and Linux.

If any monetary settlement is involved, it should be in cash and given to each school to use as they wish.

Microsoft should not be allowed to buy up smaller companies only to disband them and cannibalize their assets.

Microsoft should be made liable for any security flaws in it's software. If a hacker programs a virus that erases my harddrive and that virus works because of Microsoft's negligence, I should be able to sue Microsoft for damages. This is will make sure Microsoft does not release any software that is NOT secure.

Stop Microsoft from hording money. They do not need the billions of dollars they have in assets. Make them operate without that kind of monetary power. There should be a law that states that if companies amass that much cash, that they have to start giving shareholders dividends or convert it into other tangible assets other than money.

Chris Jones
<<http://www.clarisay.com/businesscards/banner.jpg>>

MTC-00012916

From: Johnson, Sean
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/16/02 6:36pm
Subject: Microsoft Settlement

Microsoft is a monopoly, that is undisputed. The goal to the settlement benefiting consumers is to force Microsoft to open up and publish all of their API's. In addition, there needs to be a punitive settlement so as to force them to assist the marketplace. Microsoft needs to be forced to pay for its misdeeds. A cash settlement (4 to 8 billion) needs to be received from the company. These monies could then be given to the states in the case to establish accounts which schools can use for purchasing systems. The schools should then be allowed

to use the monies as they see fit. They should engage in RFP processes with vendors then use the money to purchase that which would best benefit the schools.

Microsoft should not be allowed to donate any software, operating systems or computers. The money should be used however the recipient sees fit. For the long term, the MS monopoly needs to be closely scrutinized so as to better allow for competition. This would be done by forcing publishing of standards (API's) so that applications can be more easily created by vendors as well as opening up the possibility for allowing other operating systems to run software designed for Windows.

Sean Johnson, RN, BSN
Manager, Outpatient Registration and Scheduling
626/359-8111 x65787
email: sjohnson@coh.org
<<mailto:sjohnson@coh.org>>

MTC-00012917

From: Bill Brewis
To: Microsoft ATR
Date: 1/16/02 6:42pm
Subject: Microsoft Settlement

I believe that the currently agreed to settlement that was made public between Microsoft and the Govt is a fair settlement.

Bill Brewis
bill-brewis@msn.com

MTC-00012918

From: Jim Wilson
To: Microsoft ATR
Date: 1/16/02 6:44pm
Subject: Settlement Comments

Dear Sir/Madam:

Any settlement must incorporate a requirement that the 'Windows' operating system be open to and convenient to install other browsers. In fact, because it is such a dominant system, the option to use other companies' competing software products must remain an open and viable alternative.

Microsoft (MS) cannot be allowed to block out competitors by bundling proprietary products in with their operating system. Provision must be made to easily install competing software if a company or final retail user is so inclined.

MS company culture has got to change so that we don't keep coming back to this issue.

Regards,
/s/ James L. Wilson
by bundling MS
James L. Wilson
2 Waterview Rd. #F-11
West Chester, PA 19380-6357

MTC-00012919

From: MAG2
To: Microsoft ATR
Date: 1/16/02 6:44pm
Subject: Microsoft settlement

To whom it may concern:

Here is what I would like to see happen in this case.

With Microsoft's APIs and file formats fully standardized, documented and published, other software vendors could compete fairly—which, after all, is what antitrust laws are supposed to promote. We might then be faced with a welcome but long unfamiliar sight: a healthy software market,

driven, as today's processor market is, by genuine competition.

Also, I would hope any settlement would not let Microsoft assert itself into the education market where it does not have a monopoly YET. If Microsoft is to donate to schools, let it be in the form of money and not Microsoft products. Then the schools would be able to choose the systems and software that best meets their needs.

Thank you and remember the little guys you are fighting for.

Mich Gehrig
Illinois

MTC-00012920

From: Jay Runquist
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/16/02 6:42pm
Subject: Microsoft Settlement
Justice Department,

I'm just going to throw in my two cents on this fiasco. . . .

I would make Microsoft be the funding for this economy. Help everyone out here by making them donate cash to our schools (they need it the most) for anything the schools need. New Macintosh systems, more teachers, larger schools or even more teachers. (Did I say that last one twice?)

Bottom line, they were wrong and need to pay for it just like everyone else. Sure this is a special situation, but it shouldn't be treated any differently. They are a monopolizing company with bad business practices. Will they stop? Their too big and that business practice is, plain and simple, how they do business. Can we help America out since they screwed up? You bet we can.

We can't have them fold or get split up. They need to be just as supportive of the American economy as everyone else. They just need to be regulated a bit more.

Thanks for your time,
Jay Runquist

MTC-00012921

From: Stephen Butler
To: Microsoft ATR
Date: 1/16/02 6:48pm
Subject: Microsoft Settlement

Microsoft needs to be broken up.

It is quite obvious that they have used illegal tactics for promoting their software, and that they have a monopoly in the desktop and perhaps server market.

If they are only imposed a financial penalty, they will continue doing business as they have in the past. . . illegally.

Stephen G. Butler
Network Administrator
Alexander Dawson School
303-665-6679 x411
sbutler@dawsonschool.org

MTC-00012922

From: David Stechmann
To: Microsoft ATR
Date: 1/16/02 6:50pm
Subject: Microsoft Settlement

To whom it may concern,

I would just like to comment on the Microsoft Settlement. I think it is good that the proposed settlement was rejected. It would have done little to punish Microsoft for its illegal activities and would have instead given them an unfair advantage in the

education market. Any settlement I believe should have the following objectives:

1. It should in no way increase Microsoft's install base or influence in any way.

2. It should promote more competition in the market. For example, if Microsoft is required to donate resources to schools, it should donate systems not associated with Microsoft in any way (like Mac OS X or Linux).

3. If the settlement requires Microsoft to expend money, it should be of a significant amount to reduce Microsoft's ability to continue their monopoly.

4. It should protect OEMs so they can make operating system and configuration choices without Microsoft's pressure (as would have still been present in the rejected settlement).

Whatever the eventual settlement is, I think it should have one final requirement, that it is considered a bad idea by Microsoft. Based on how Microsoft's legal department has worked in the past, I think it is reasonable to say that any proposal Microsoft endorses will ultimately expand their monopoly. In addition, if they like the settlement, they will have no incentive to stop their anti-competitive behavior. Like any convicted criminal, Microsoft should receive a punishment which will make them think twice about acting like they have (and continue to do).

Thank you for your time.

Sincerely,
David Stechmann

MTC-00012923

From: Ed McKinley
To: Microsoft ATR
Date: 1/16/02 6:50pm
Subject: Why not just leave Microsoft alone?

They've done a wonderful job creating software that works! Use

Why not just leave Microsoft alone?

They've done a wonderful job creating software that works! Use your efforts against the Taliban and other real criminals!

Sheila McKinley

MTC-00012924

From: nickbaily@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 6:50pm
Subject: microsoft settlement

for what it is worth, if microsoft is to donate anything to the school systems in the U S that have technology needs, I would suggest a monetary fund be set up, administered by someone outside the system, similar to a trust fund, without exorbitant associated administrative costs, and this fund be used to acquire hardware and software as necessary for any particular school, DETERMINED ONLY by the school and it's teaching faculty, not microsoft.

respectfully,
Nick Baily
Los Angeles

MTC-00012925

From: Ron Yochum
To: Microsoft ATR
Date: 1/16/02 6:55pm
Subject: Microsoft Settlement
Dear DOJ:

Pursuant to the Tunney Act, I am submitting my opposition to the proposed settlement RE: DOJ vs Microsoft.

If Microsoft is permitted to "donate" its services, software, and hardware to schools, they will be effectively locking out competition at the root of social and economic structure.

By permitting Microsoft to donate to schools, the Department of Justice is actively facilitating the exclusive promotion of Microsoft products, further enhancing Microsoft's already gargantuan monopoly over technology and the internet. From the viewpoint of Microsoft, it is the best sweetheart deal ever.

Level the playing field, escrow a couple billion in cash, donate it to whatever technology schools and inner-city groups see fit via an independent non-profit foundation.

A cash settlement is the only real, fair, and appropriate option.

Sincerely,
Ronald C. Yochum, Jr.
252 Wainwright Avenue
Pittsburgh, PA 15227
412-884-8172

MTC-00012926

From: Jonathan Haddad
To: Microsoft ATR
Date: 1/16/02 6:58pm
Subject: Microsoft Settlement

I believe that Microsoft's market dominance will only continue to grow unless it is split the way the original trial judge determined it should be. The many applications brought to market by for Windows by Microsoft itself is a huge influence to run the windows operating system. Splitting the company would remove the barrier to develop only for windows, and would encourage Macintosh / Linux development.

Second, any donations of computers to schools should be the new iMacs (Microsoft Office). I think this would help stimulate the growth of other operating systems, while still providing an alternative for the student. These computers should be distributed to each of the levels of schools (elementary, middle school, high school, and university.)

I've spent a great deal of time in my life following the events of this company. I believe that the tactics that it has exhibited have stifled an industry. It has used its leverage from the operating system to dominate markets which it had never been involved in to begin with. Internet Explorer is an excellent example of this.

I would hate to see such brutal market tactics go unpunished. Splitting up the company, and ordering the ports of all the Microsoft applications to 2 other platforms (Mac, and a distributioin of Linux) would be ideal.

Jonathan Haddad
98 Loomis Street
Burlington, VT 05401
jjhaddad@zoo.uvm.edu

MTC-00012927

From: Donald A. Fife
To: Microsoft ATR
Date: 1/16/02 7:02pm
Subject: Microsoft Settlement

Its time to settle the matter now, further litigation is just a matter of putting off what should have been brought to a head long time ago. Look at the facts and make a settlement.

Thank You.

Donald A. Fife

MTC-00012928

From: Muksus@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 7:02pm
Subject: microsoft settlement

Dear Mr. Ashcroft:

This letter is in reference to the justice department's settlement with Microsoft regarding the antitrust issues raised by the morally and economically bankrupt liberal demarcates under the leadership by Joe Klien, who served an impeached president.

The same justice department which refused to investigate Bill Clinton's shenanigans and Albert gore fund raising practices using the Buddhist temple and other more despicable acts, went after a successful corporation under a socialist populist guide. Egging on are the attorney generals of different states, who need a forum to run for the governor of their respective states. Those who extorted money form Tobacco industry under the guise of covering Medicaid and Medicare costs went in search of other lucrative extortion targets and found Microsoft, which became as damaging to consumers in their eyes as Asbestos, lead paint, tobacco and other extortable industries. In that way, salt, sugar, orange juice, carrots and any product existing on earth is potentially a target for the corrupt liberal democrats.

I fail to understand that while fighting against Taliban and El Khaida, we still have to wage a legal war against our own hardworking innovative corporation like Microsoft, who have brought computers with in the reach of an average American like me.

While the litigation was going on I heard statements to the fact that Microsoft was not a player in Washington, with influence campaign contribution and its own lobbyist, pr personnel and other assorted hangers on and social parasites. Thus our government and the political system has now become as a Mafia like extortionist, where every successful corporation like Microsoft has to pay a tribute and bribe to politicians to conduct its business. Under the settlement Microsoft has to divulge its source code and for the corrupt liberal demarcates even that is not enough. Why should it not protect its intellectual property which it has spent billions to develop Those unsuccessful companies like Novell who have not been successful in the market place, should pull political strings to hobble a successful corporation? In stead of encouraging them, they should be exposed, condemned and denounced. Why a law suit which was started under a draft dodger, pot smoker, financial swindler, morally bankrupt, anti business Clinton should be carried on by us republicans beats me.

But some of these corporations are aptly known as rope sellers, Lenin say that capitalists will sell us the rope with which we will string their neck with. Thus any corporation or any aerate hard working

American who gives a penny to the liberal democrats is digging its own financial and personal grave.

By giving political contribution to the domestic El Khaida and Talibans like John Dingell, Henry Waxman, Tom Daschel, Ed Markey and other fascists Microsoft created a problem which it is trying to solve through painful compromises with DOJ.

Let us solve their problem once for all by agreeing and quickly implementing the settlement and stopping the extortion once for all.

CC:fin@mobilizationoffice.com@inetgw

MTC-00012929

From: zero
To: Microsoft ATR
Date: 1/16/02 7:07pm
Subject: Microsoft

Dear Sirs

I find myself compelled to write to you with a mixture of frustration, anger and disappointment. I am shocked to witness our judicial system and government failing to do justice on behalf of the people and companies they represent. If there ever was a monopolistic and criminal company, it would have to be Microsoft.

Not only is our government failing to punish Microsoft, the government may be helping it expand its monopoly into areas such as education, which they do not control, at the expense of other companies and us all. A recently published statistic gives Microsoft over 96% of the market share, this "alone" should compel you in favor of a brake up. How can individuals and the market benefit? How can there continue to be diversification, innovation and competition? Please pause for a moment. . . 96%!!!

It is time to stop "compromising". It is my hope to see this latest proposed settlement be rejected in favor of a severe and just solution. Microsoft is a "monopoly" and is using its vast resources to squeeze, or acquire, other companies out of business and penetrate new markets with unfair and criminal business practices.

Microsoft's latest business and private licensing fees reflect its arrogance and dominance in the market place. Do the right thing and punish Microsoft, nothing less than a "brake up" will do.

Thank you,
Piero Favretti
Norcross, Georgia

MTC-00012930

From: k.gibson
To: Microsoft ATR
Date: 1/16/02 7:08pm
Subject: Microsoft Settlement
308 West Clifton Avenue
North Augusta, South Carolina 29841
January 16, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you in support of Microsoft's antitrust settlement with the federal government. I think it is extremely reasonable.

Microsoft has agreed to license its Windows operating system products to the

20 largest computer makers on identical terms and conditions, including price. Also, Microsoft has agreed to design future versions of Windows, beginning with an interim release of Windows XP, to provide a mechanism to make it easy for computer makers and software developers to promote non-Microsoft software within Windows. Additionally, the settlement will establish a technical committee to monitor its compliance with the settlement and assist with dispute resolution.

I think this settlement gives the government what it wanted. It's time to move on, and I seriously hope this case comes to and end.

Sincerely,
Kathleen Gibson
cc: Senator Strom Thurmond
Representative Lindsey Graham

MTC-00012931

From: Bob Portal
To: Microsoft ATR
Date: 1/16/02 7:05pm
Subject: Microsoft Settlement

While it is certainly no bad thing to allow schools more cash to buy computer equipment and software, I agree with what many have pointed out—namely that it is utterly ridiculous to allow Microsoft to flood the market with refurbished Windows PC's and Windows only software, thus leveraging even more of a monopoly for themselves even as they atone for their sins! Apple is right to point out that education is one area where there is still healthy competition in the industry, and any such proposals from Microsoft would destroy Apple's chances of competing fairly in the education market. If you add that to the fact that it would not be a punishment for Microsoft, but (quite the contrary) a brilliant way to expand their dominance with very little real expense to themselves, it has to be seen that there is no way this deal can stand. If they were to give cash to education, with absolutely no strings attached other than it be used to buy IT equipment and software, that may be fair. But it would be preposterous to cut Apple and other non-Windows systems out of the market.

BOB PORTAL
Film Producer

MTC-00012932

From: Don Rozenberg
To: Microsoft ATR
Date: 1/16/02 7:10pm
Subject: Comment on Microsoft Settlement

Microsoft has been found to be a predatory monopoly; it should not be allowed to use its monopolistic gains to extend and perpetuate its monopoly. A large factor in its ability to continue it strangle hold is a small number of proprietary file formats. The most important one being the format of its Word document. Other important ones are the formats of other Office products. These are so important because so many people send Word documents to one another. Because the formats are proprietary, other software developers have not been able to generate completely satisfactory conversion programs that could run on other operating systems. There are indications that Microsoft is

considering periodic licensing for its office products.

Yours will be forced to by updates to look at documents that they have had for years.

If other software developers were able to interpret word documents then other alternative to MS Word would be available and thereby competition would be enhanced.

My suggestion is to force Microsoft to disclose its proprietary file formats especially for MS Office.

Yours Truly,
Don Rozenberg
707-882-3601
rozen@mcn.org

MTC-00012933

From: Vern Swerdfeger
To: Microsoft ATR
Date: 1/16/02 7:11pm
Subject: Settlement.

My suggestion is about the same as the last one rejected except make them use anything but Microsoft software. (I am an Apple user) It would be fine to have them buy and give away thousands of Apple computers. Macintosh is a far superior system.

Vern Swerdfeger

MTC-00012934

From: Ryan Sharp
To: Microsoft Settlement
Date: 1/16/02 9:00am
Subject: Microsoft Settlement
Ryan Sharp
6977 DD RD.
Niangua, MO 65713
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Ryan Sharp

MTC-00012935

From: Gavin Davis
To: Microsoft Settlement

Date: 1/16/02 1:06pm
Subject: Microsoft Settlement
Gavin Davis

P.O. Box 706

Merced, CA 95341

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Gavin Davis

MTC-00012936

From: John Kern

To: Microsoft Settlement

Date: 1/16/02 9:49am

Subject: Microsoft Settlement

John Kern

641 Mt Pleasant Rd

Washougal, Wa 98671

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

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consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies. Thank you for this opportunity to share my views.

Sincerely,

H John Kern

MTC-00012937

From: Carol Adams

To: Microsoft Settlement

Date: 1/16/02 9:38am

Subject: Microsoft Settlement

Carol Adams

2479 Peachtree Rd

Atlanta, GA 30305

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Carol Adams

MTC-00012938

From: Jane Pehl

To: Microsoft Settlement

Date: 1/16/02 10:32am

Subject: Microsoft Settlement

Jane Pehl

8330 Hastings

San Antonio, TX 78239

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

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Sincerely,

Jane Pehl

MTC-00012939

From: Bonnie H. Merrill

To: Microsoft Settlement

Date: 1/16/02 1:36pm

Subject: Microsoft Settlement

Bonnie H. Merrill

4900 Live Oak

Oakley, Ca 94561

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Bonnie H. Merrill

MTC-00012940

From: Elsie Cresswell

To: Microsoft Settlement

Date: 1/16/02 9:33am

Subject: Microsoft Settlement

Elsie Cresswell

37 Poplar St

Badin, NC 28009

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Elsie Cresswell

MTC-00012941

From: Alma Broumley

To: Microsoft Settlement

Date: 1/16/02 11:01am

Subject: Microsoft Settlement

Alma Broumley

530 HCR 4149

Grandview, TX 76050

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Alma Broumley

MTC-00012942

From: Gale DeVoar SR

To: Microsoft Settlement

Date: 1/16/02 10:18am

Subject: Microsoft Settlement

Gale DeVoar SR

6214 Carew ST

Houston, TX 77074-7412

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Gale DeVoar SR

MTC-00012943

From: tony gatti

To: Microsoft Settlement

Date: 1/16/02 9:35am

Subject: Microsoft Settlement

tony gatti

14904 landmark dr

louisville, ky 40245-6525

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

tony gatti

MTC-00012944

From: Cynthia Gray

To: Microsoft Settlement

Date: 1/16/02 11:55am

Subject: Microsoft Settlement

Cynthia Gray

6 Jasper Lane

Beaufort, SC 29902

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Cynthia Gray

MTC-00012945

From: Robert Green

To: Microsoft Settlement

Date: 1/16/02 10:06am

Subject: Microsoft Settlement

Robert Green

2207 Cherokee Trl.

Valrico, FL 33594

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

R. W. Green

MTC-00012946

From: Tom Hoban

To: Microsoft Settlement

Date: 1/16/02 10:23am

Subject: Microsoft Settlement

Tom Hoban

10 Longboat Ave.

Barneget, NJ 08005

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Tom Hoban

MTC-00012947

From: Steven Shuler

To: Microsoft Settlement

Date: 1/16/02 12:28pm

Subject: Microsoft Settlement

Steven Shuler

6152W 890N

Freetown, IN 47235

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Steven D. Shuler

MTC-00012948

From: Roger Holm

To: Microsoft Settlement

Date: 1/16/02 9:41am

Subject: Microsoft Settlement

Roger Holm

1199 County Rd. 319

Westcliffe, CO 81252

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Roger Holm

MTC-00012949

From: Al Rollans

To: Microsoft Settlement

Date: 1/16/02 11:39am

Subject: Microsoft Settlement

Al Rollans

788 w. westfield

Porterville, ca 93257

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Al Rollans

MTC-00012950

From: Harold Luehrs

To: Microsoft Settlement

Date: 1/16/02 10:26am

Subject: Microsoft Settlement

Harold Luehrs

1039 PCR 412

Frohna, MO 63748

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a

serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Harold Luehrs

MTC-00012951

From: Mary Baker
To: Microsoft Settlement
Date: 1/16/02 12:24pm
Subject: Microsoft Settlement
Mary Baker
31 Holly Hill Drive
Mercer Island, Wa 98040
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Mary Baker

MTC-00012952

From: Vonda McClain

To: Microsoft Settlement
Date: 1/16/02 9:24am
Subject: Microsoft Settlement
Vonda McClain
717 Willow Brook Drive
Allen, TX 75002
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Vonda McClain

MTC-00012953

From: Donald Campbell
To: Microsoft Settlement
Date: 1/16/02 11:26am
Subject: Microsoft Settlement
Donald Campbell
203 S Division St
Montour, Ia 50173
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,
Don Campbell

MTC-00012954

From: Harvey Hubka
To: Microsoft Settlement
Date: 1/16/02 12:51pm
Subject: Microsoft Settlement
Harvey Hubka
P.O. Box 22356
Lincoln, NE 68542
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Harvey N. Hubka

MTC-00012955

From: E. L. Jolly
To: Microsoft Settlement
Date: 1/16/02 11:17am
Subject: Microsoft Settlement
E. L. Jolly
208 Rodeo Drive
Boerne, Tx 78006-5950
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition

in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
E. L. Jolly

MTC-00012956

From: Paul Maddy
To: Microsoft Settlement
Date: 1/16/02 9:49am
Subject: Microsoft Settlement
Paul Maddy
11417 Loron Rd
Morrison, IL 61270-9451
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Paul Maddy

MTC-00012957

From: John Bowman
To: Microsoft Settlement
Date: 1/16/02 10:08am
Subject: Microsoft Settlement
John Bowman

3512 Roxford Drive
Champaign, IL 61822
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
John Bowman

MTC-00012958

From: Robert Austin
To: Microsoft Settlement U.S. Department of Justice
Date: 1/16/02 12:01pm
Subject: Microsoft Settlement
Robert Austin
3801 Ryan Way
Winston-Salem, NC 27106
January 16, 2002
Microsoft Settlement
U.S. Department of Justice
Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Robert D. Austin

MTC-00012959

From: Tony K. Olsen
To: Microsoft ATR
Date: 1/16/02 7:13pm
Subject: Microsoft Settlement
To Whom It May Concern

I appreciate the opportunity to present my thoughts on the Microsoft Anti-trust settlement and hope that you find them of value. Microsoft abused their privileged platform as the "industry leader" by directly forcing the hands of the PC "OEM" distributors to accept their licensing deals or suffer the consequences. These deals were so binding that the "OEM" distributors could not afford to exercise their right to allow other Intel based Operating Systems like BeOS (since bankrupt with all its assets purchased for \$11M by Palm) to be included with their distributions with a boot-loader. As a highly technical computer user (programmer/system administrator) I saw the BeOS as an excellent next-generation operating system, one that could easily compete with Microsoft if the playing field was level. It was technologically superior to all home versions of Windows in the way in which it handled digital media and could have proven to be a low-cost alternative if given half the chance. All that needed to be done was for the purchaser of a new computer to be able to choose which operating system they wanted to run when the computer booted up. This can be easily accomplished with free software known as "boot-loaders". Microsoft was so frightened of this option, whereby the user could freely determine what operating system they wanted to use (and please note that multiple operating systems can co-exist on the Intel platform—I currently run Windows 98, Linux and BeOS on my Intel Pentium II-350MHz PC), that they legally mandated that the "OEM" distributors MUST only allow Microsoft.

There is an excellent article at Byte Magazine by Scot Hacker, a computer expert and noted computer author:

<http://www.byte.com/documents/s=1115/byt20010824s0001/0827—hacker.html> which provides the following details of Microsoft's actions with respect to "boot-loading": "So why aren't there any dual-boot computers for sale? The answer lies in the nature of the relationship Microsoft maintains with hardware vendors. More specifically, in the "Windows License" agreed to by hardware vendors who want to include Windows on the computers they sell. This is not the license you pretend to read and click "I Accept" when installing Windows. This license is not available online. This is a confidential license, seen only by Microsoft and computer vendors. You and I can't read the license because Microsoft classifies it as a "trade secret." The license specifies that any machine which includes a Microsoft operating system must not also offer a

nonMicrosoft operating system as a boot option. In other words, a computer that offers to boot into Windows upon startup cannot also offer to boot into BeOS or Linux. The hardware vendor does not get to choose which OSes to install on the machines they sell? Microsoft does."

This "trade secret" is direct proof of Microsoft's monopolistic practices and inevitably contributed (significantly) to the death of BeOS. Although I have numerous licensed Microsoft products in my home and installed on my Windows 98 partition of my computer I will never again purchase a Microsoft product nor will I upgrade to the new Windows XP operating system that is arguably one of the most intrusive efforts in the history of computing. Their .net strategy is consistent with their earlier behaviour and is an attempt to destroy the "open source" computing community by forcing consumers, including big businesses, into their proprietary solution. I plan on switching directly from Microsoft to Apple as soon as Apple has their new iMacs (or G5 systems) available for purchase. This is a decision I would not have had to make if Microsoft was not in a position to directly impact a user in a foreign country by their monopolistic practices which ultimately led to the computer software I am/was forced to use. This behaviour must be stopped before there are more examples of Microsoft's abuse of their privileged monopoly. The only solution to this is to punish Microsoft for each and every computer shipped that the "OEM" distributors were forced to load Microsoft-only operating systems. The best manner in which to enact this punishment is to ensure that those people directly affected by Microsoft's practices are those that are the recipients of the penalty on Microsoft. Therefore I recommend that all computer users in the United States who were affected by Microsoft's practices be allowed to switch to Apple computers at Microsoft's expense. Microsoft would be responsible for purchasing the hardware, purchasing equivalent functioning software (e.g. Microsoft Office 2000 for Windows == Microsoft Office for OS X), and providing (via a third party) technical support. This way those people most affected have the choice of opting in for Apple or choosing to stay with Microsoft. What could be more ironic for Microsoft than to once and for all allow the users to have the say they were denied before.

Thank you for your time. Sincerely,
Anthony K. Olsen
Ottawa, Ontario, Canada
CC:scottr@salon.com@
inetgw.beos@birdhouse.org@inetgw.. .

MTC-00012960

From: Linda Batdorf
To: Microsoft Settlement
Date: 1/16/02 11:09am
Subject: Microsoft Settlement
Linda Batdorf
1940 Rainbow Dr.
Clearwater, FL 33765
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Linda Batdorf

MTC-00012961

From: Julie Bodnar
To: Microsoft Settlement
Date: 1/16/02 9:09am
Subject: Microsoft Settlement
Julie Bodnar
3475 McFarlan Road
Cincinnati, OH 45211
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Julie M. Bodnar

MTC-00012962

From: DOUGLAS MAYHALL
To: Microsoft Settlement
Date: 1/16/02 12:21pm
Subject: Microsoft Settlement
DOUGLAS MAYHALL
11848 W. 187 TH. ST.
MOKENA, IL 60448
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
DOUGLAS MAYHALL

MTC-00012963

From: Dennis Storck
To: Microsoft Settlement
Date: 1/16/02 10:49am
Subject: Microsoft Settlement
Dennis Storck
5230 W Hwy 98
Panama City, FL 32401
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Dennis Storck

MTC-00012964

From: Donald Ulsh
To: Microsoft Settlement
Date: 1/16/02 1:54pm
Subject: Microsoft Settlement
Donald Ulsh
926 W. Gleneagles Dr.
Phoenix, Az 85023
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Don Ulsh

MTC-00012965

From: Gordon Dotson
To: Microsoft Settlement
Date: 1/16/02 10:01am
Subject: Microsoft Settlement
Gordon Dotson
P.O. Box 273
Enterprise, UT 84725
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a

serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Gordon Dotson

MTC-00012966

From: Norman Moors
To: Microsoft Settlement
Date: 1/16/02 9:14am
Subject: Microsoft Settlement
Norman Moors
411 Barnett Stret
West Palm Beach, FL 33405-4801
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Norman Moors

MTC-00012968

From: Jeff Garrett

To: Microsoft Settlement
Date: 1/16/02 9:47am
Subject: Microsoft Settlement
Jeff Garrett
P.O. Box 25722
Little Rock, AR 72221
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Jeff Garrett

MTC-00012969

From: Judy Johansen
To: Microsoft Settlement
Date: 1/16/02 10:28am
Subject: Microsoft Settlement
Judy Johansen
33096 Hwy E 34
Castana, IA 51010-8732
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Judy A. Johansen

MTC-00012970

From: Don Cummings
To: Microsoft Settlement
Date: 1/16/02 9:50am
Subject: Microsoft Settlement
Don Cummings
6006 Pimenta Ave.
Lakewood, Ca 90712
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Don Cummings

MTC-00012971

From: Jerry Warren
To: Microsoft Settlement
Date: 1/16/02 2:50pm
Subject: Microsoft Settlement
Jerry Warren
123 W. Walnut St.
Wake Forest, NC 27587
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech

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Thank you for this opportunity to share my views.

Sincerely,
Jerry G. Warren

MTC-00012972

From: Peter Pacheco
To: Microsoft Settlement
Date: 1/16/02 9:22am
Subject: Microsoft Settlement
Peter Pacheco
751 Swan Av
Miami Springs, FL 33166
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Peter Pacheco

MTC-00012973

From: Kuhlman Kenny

To: Microsoft Settlement
Date: 1/16/02 12:05pm
Subject: Microsoft Settlement
Kuhlman Kenny
4180 Oakland Dr.
Olive Branch, MS 38654-9700
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
K. C. Kenny

MTC-00012974

From: John D. Beals
To: Microsoft Settlement
Date: 1/16/02 10:19am
Subject: Microsoft Settlement
John D. Beals
646 SW Rimrock Dr.
Redmond, OR 97756
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

John D. Beals, D.D.S.

MTC-00012975

From: Mary LaRocca
To: Microsoft Settlement
Date: 1/16/02 11:05am
Subject: Microsoft Settlement
Mary LaRocca
115 San Luis Way
Placencia, CA 92870-1835
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Mary C. LaRocca

MTC-00012976

From: Blanche Pennino
To: Microsoft Settlement
Date: 1/16/02 10:17am
Subject: Microsoft Settlement
Blanche Pennino
10 Ashley Drive
Holmdel, NJ 07733-2058
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a

serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Blanche Pennino

MTC-00012977

From: Leonard Bogard
To: Microsoft Settlement
Date: 1/16/02 1:53pm
Subject: Microsoft Settlement
Leonard Bogard
11275 Matthew Way
Armona, CA 93202-0670
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Leonard W. Bogard

MTC-00012978

From: Eric Russell
To: Microsoft Settlement
Date: 1/16/02 10:11am
Subject: Microsoft Settlement
Eric Russell
1117 Stadium Drive
Parkersburg, WV 26101
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

Eric D. Russell

MTC-00012979

From: Roseanne Cusick
To: Microsoft Settlement
Date: 1/16/02 12:31pm
Subject: Microsoft Settlement
Roseanne Cusick
PO Box 271
Bayfield, CO 81122
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Roseanne Cusick

MTC-00012980

From: Michael Roberts
To: Microsoft Settlement
Date: 1/16/02 11:16am
Subject: Microsoft Settlement
Michael Roberts
228 Grand Canyon Dr.
Madison, WI 53705
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Michael Roberts

MTC-00012981

From: Glenda Bowen
To: Microsoft Settlement
Date: 1/16/02 11:17am
Subject: Microsoft Settlement
Glenda Bowen
198 Fanning Bridge Road
Fletcher, NC 28732-9203
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Glenda Boen

MTC-00012982

From: mike gardner
To: Microsoft Settlement
Date: 1/16/02 1:05pm
Subject: Microsoft Settlement
mike gardner
p.o. box 406
solsberry, in 47459
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Mike Gardner

MTC-00012983

From: Edward W. Toll
To: Microsoft Settlement
Date: 1/16/02 11:51am
Subject: Microsoft Settlement
Edward W. Toll
100 Meadowlark Loop
Lafayette, LA 70508
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Edward W. Toll

MTC-00012984

From: John O'Neill
To: Microsoft Settlement
Date: 1/16/02 10:11am
Subject: Microsoft Settlement
John O'Neill
1038 Oakwood Drive
Glenolden, Pa 19036-1513
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
John J.O'Neill

MTC-00012985

From: Frank Bradley
To: Microsoft Settlement
Date: 1/16/02 11:24am
Subject: Microsoft Settlement
Frank Bradley
481 Crystal Lake Dr.
Melbourne, FL 32940
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Frank T. Bradley

MTC-00012986

From: Karen Vernor
To: Microsoft Settlement
Date: 1/16/02 10:21am
Subject: Microsoft Settlement
Karen Vernor
P. O. Box 8
Wimberley, TX 78676
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Karen Vernor

MTC-00012987

From: Vernon Spicer
To: Microsoft Settlement
Date: 1/16/02 12:41pm
Subject: Microsoft Settlement
Vernon Spicer
4126 Woodcreek Drive
Dallas, TX 75220
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Vernon Spicer

MTC-00012988

From: Herbert Waid
To: Microsoft Settlement
Date: 1/16/02 1:48pm
Subject: Microsoft Settlement
Herbert Waid
PO Box 1844
Moultrie, GA 31776-1844
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Rev. Herbert Waid

MTC-00012989

From: Christine Gilbert
To: Microsoft Settlement
Date: 1/16/02 10:39am
Subject: Microsoft Settlement
Christine Gilbert
413 Jennifer Lane
Rogersville, MO 65742-9743
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Christine Gilbert

MTC-00012990

From: Marsha Nelson
To: Microsoft Settlement
Date: 1/16/02 9:41am
Subject: Microsoft Settlement
Marsha Nelson
310 Teakwood Drive
Youngsville, LA 70592
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Marsha Nelson

MTC-00012991

From: David Butts
To: Microsoft Settlement
Date: 1/16/02 1:39pm
Subject: Microsoft Settlement
David Butts
4103 summertime parkway
Louisville, KY 40272-4880
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
David Butts

MTC-00012992

From: Diane Sluder
To: Microsoft Settlement
Date: 1/16/02 9:18am
Subject: Microsoft Settlement
Diane Sluder
4458 Johnny Cake Ridge Rd.
Eagan, Mn 55122
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Diane Sluder

MTC-00012993

From: Tomi Porterfield
To: Microsoft Settlement
Date: 1/16/02 10:52am
Subject: Microsoft Settlement
Tomi Porterfield
803 Birchview Court
Pearland, TX 77584
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Tomi Porterfield

MTC-00012994

From: James DeChaine
To: Microsoft Settlement
Date: 1/16/02 12:54pm
Subject: Microsoft Settlement
James DeChaine
1405 Heidi Place
Windsor, CA 95492-7986
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
James DeChaine

MTC-00012995

From: donald sexauer
To: Microsoft Settlement
Date: 1/16/02 10:12am
Subject: Microsoft Settlement
donald sexauer
80 park avenue 17n
ny, ny 10016
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Donald E. Sexauer

MTC-00012996

From: Ray E. Hughes
To: Microsoft Settlement
Date: 1/16/02 11:46am
Subject: Microsoft Settlement
Ray E. Hughes
2846 Verity Ln / POB 600
Baldwin, NY 11510-0600
January 16, 2002
Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Ray E. Hughes

MTC-00012997

From: Peter Finnigan
To: Microsoft Settlement
Date: 1/16/02 12:20pm
Subject: Microsoft Settlement
Peter Finnigan
5 John Drive
Annandale, NJ 08801
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Peter Finnigan

MTC-00012998

From: Shane Crabtree
To: Microsoft Settlement
Date: 1/16/02 9:27am
Subject: Microsoft Settlement
Shane Crabtree
515 Parkwood Drive
Panama City, FL 32405
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Shane Crabtree

MTC-00012999

From: Nancy VanAntwerp
To: Microsoft Settlement
Date: 1/16/02 9:50am
Subject: Microsoft Settlement
Nancy VanAntwerp
2121 Washington St
Columbus, IN 47201-4115
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Nancy VanAntwerp

MTC-00013000

From: Delores Stafford
To: Microsoft Settlement
Date: 1/16/02 9:23am
Subject: Microsoft Settlement
Delores Stafford
16909 Gunboat Circle
Maurepas, LA 70449
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Delores Stafford

MTC-00013001

From: Laurie Al-Hawaz
To: Microsoft Settlement
Date: 1/16/02 10:09am
Subject: Microsoft Settlement
Laurie Al-Hawaz
3667 West 128th Street
Cleveland, OH 44111
January 16, 2002

Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

Laurie Al-Hawaz

MTC-00013002

From: Frances Turner
To: Microsoft Settlement
Date: 1/16/02 2:40pm
Subject: Microsoft Settlement
Frances Turner
5900 Jaycox Rd.
Galena, OH 43021-9334
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Frances M. Turner

MTC-00013003

From: Deborah Heilman
To: Microsoft Settlement
Date: 1/16/02 9:11am
Subject: Microsoft Settlement
Deborah Heilman
63 Clifton St.
Manchester, NY 14504
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Deborah J. Heilman

MTC-00013004

From: Michael Crass
To: Microsoft Settlement
Date: 1/16/02 11:37am
Subject: Microsoft Settlement
Michael Crass
3831 Marshall Place
Gary, IN 46408-1926
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Michael Crass

MTC-00013005

From: Donna Christianson
To: Microsoft Settlement
Date: 1/16/02 11:24am
Subject: Microsoft Settlement
Donna Christianson
314 April Lane
Nashville, TN 37211
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Donna Christianson

MTC-00013006

From: Richard Kleinpeter
To: Microsoft Settlement
Date: 1/16/02 9:37am
Subject: Microsoft Settlement
Richard Kleinpeter
202 Ranch Rd.
Marion, La 71260
January 16, 2002
Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
R.H. Kleinpeter

MTC-00013007

From: (E.) Maria Crider
To: Microsoft Settlement
Date: 1/16/02 11:51am
Subject: Microsoft Settlement
(E.) Maria Crider
227 Glenwood Dr.
Palestine, TX 75801
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
E. Maria Crider

MTC-00013008

From: David Rogers
To: Microsoft Settlement
Date: 1/16/02 9:20am
Subject: Microsoft Settlement
David Rogers
1007 Brown St
Jacksonville, TX 75766-3319
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
David M. Rogers

MTC-00013009

From: Harold Sharp
To: Microsoft Settlement
Date: 1/16/02 11:53am
Subject: Microsoft Settlement
Harold Sharp
14207 Cypress Green Dr
Cypress, TX 77429-6300
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Harold E Sharp

MTC-00013010

From: PATRICIA CORONA

To: Microsoft Settlement

Date: 1/16/02 1:58pm

Subject: Microsoft Settlement

PATRICIA CORONA

124 WHITE STORK DRIVE

SLIDELL, LA 70461

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

PATRICIA CORONA

MTC-00013011

From: Edward Breza Sr.

To: Microsoft Settlement

Date: 1/16/02 11:46am

Subject: Microsoft Settlement

Edward Breza Sr.

2521 SE 19th Circle

Ocala, FL 34471-1003

January 16, 2002

Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Edward J. Breza Sr.

MTC-00013012

From: Barbara DeReuil

To: Microsoft Settlement

Date: 1/16/02 11:15am

Subject: Microsoft Settlement

Barbara DeReuil

4750 N.E. 25 Avenue

Fort Lauderdale, FL 33308

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

Barbara DeReuil

MTC-00013013

From: Vincent J. Socci

To: Microsoft Settlement

Date: 1/16/02 9:36am

Subject: Microsoft Settlement

Vincent J. Socci

21 Moosepac Lane

Oak Ridge, NJ 07438

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Vincent J. Socci

MTC-00013014

From: Chuck & Betty Wood

To: Microsoft Settlement

Date: 1/16/02 9:57am

Subject: Microsoft Settlement

Chuck & Betty Wood

2886 Ravenwood Drive

Snellville, GA 30078-3749

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Chuck & Betty Wood

MTC-00013015

From: Christine Parfait
To: Microsoft Settlement
Date: 1/16/02 9:21am
Subject: Microsoft Settlement
Christine Parfait
3446 D Benoit Road
Lake Charles, LA 70605
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Christine Parfait

MTC-00013016

From: Constance Still
To: Microsoft Settlement
Date: 1/16/02 9:35am
Subject: Microsoft Settlement
Constance Still
3815 SW 106th Street

Seattle, Wa 98146-0984

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Constance S Still

MTC-00013017

From: Frank Megow Sr.
To: Microsoft Settlement
Date: 1/16/02 9:05am
Subject: Microsoft Settlement
Frank Megow Sr.
2912 NW 16th
Oklahoma City, OK 73107-4719
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

Frank J. Megow Sr

MTC-00013018

From: david winarsky
To: Microsoft ATR
Date: 1/16/02 7:15pm
Subject: End the Litigation
CC: david3668@yahoo.com@inetgw

Dear Sirs:

Please end the litigation on the Microsoft case. The settlement is fair and in the best interest of the people.

The money you spent on litigation would serve the people better if it was sent on:

Healthcare

Social Security

Child care credit

A tax credit for single parents and the list is endless get the point?

thanks,

david3668@hotmail.com

MTC-00013019

From: Nilda Hermann
To: Microsoft Settlement
Date: 1/16/02 12:06pm
Subject: Microsoft Settlement
Nilda Hermann
14359 S.E. 6th #204
Bellevue, WA 98007
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Mrs. Nilda Leila Hermann

MTC-00013020

From: Michelle Kichman

To: Microsoft Settlement
 Date: 1/16/02 9:44am
 Subject: Microsoft Settlement
 Michelle Kichman
 1102 Knightbridge Ct
 Graham, NC 27253-9564
 January 16, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
 Michelle Kichman

MTC-00013021

From: Genevieve Hagerty
 To: Microsoft Settlement
 Date: 1/16/02 11:42am
 Subject: Microsoft Settlement
 Genevieve Hagerty
 1539 63rd Street
 Somerset, WI 54025
 January 16, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
 Genevieve Hagerty

MTC-00013022

From: Eugene A. Norby
 To: Microsoft Settlement
 Date: 1/16/02 11:25am
 Subject: Microsoft Settlement
 Eugene A. Norby
 11718 E.36th Ave.
 Spokane, WA 99206-5939
 January 16, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
 Eugene A. Norby

MTC-00013023

From: Eileen Farley
 To: Microsoft Settlement
 Date: 1/16/02 9:56am
 Subject: Microsoft Settlement
 Eileen Farley
 426 Pelican
 New Orleans, LA 70114-1018
 January 16, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a

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Thank you for this opportunity to share my views.

Sincerely,
 Eileen Farley

MTC-00013024

From: Patricia Haug
 To: Microsoft Settlement
 Date: 1/16/02 12:55pm
 Subject: Microsoft Settlement
 Patricia Haug
 23067 Nature View Drive
 Sedro Woolley, WA 98284-7805
 January 16, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
 Robert and Patricia Haug

MTC-00013025

From: Palmarin Merges
To: Microsoft Settlement
Date: 1/16/02 12:21pm
Subject: Microsoft Settlement
Palmarin Merges
3830 Harrison St. Apt. 104
Oakland, CA 94611-5097
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Palmarin P. Merges

MTC-00013026

From: Derek Kimmel
To: Microsoft Settlement
Date: 1/16/02 1:02pm
Subject: Microsoft Settlement
Derek Kimmel
20693 Glen Brook Terrace #203
Potomac Falls, VA 20165
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Derek Kimmel

MTC-00013027

From: George Stegmaier
To: Microsoft Settlement
Date: 1/16/02 11:52am
Subject: Microsoft Settlement
George Stegmaier
255 Welter Drive
Wood Dale, IL 60191
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Make Lawyers wealthy?

George Stegmaier

MTC-00013028

From: Rosalie Creamer
To: Microsoft Settlement
Date: 1/16/02 9:12am
Subject: Microsoft Settlement
Rosalie Creamer
4724 Southwind Blvd.
Kissimmee, FL 34746
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Rosalie Creamer

MTC-00013029

From: Michael Stewart
To: Microsoft Settlement
Date: 1/16/02 11:24am
Subject: Microsoft Settlement
Michael Stewart
2991 Forest Hills Drive
Redding, CA 96002
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Michael T. Stewart

MTC-00013030

From: shelley owens
To: Microsoft Settlement
Date: 1/16/02 9:36am
Subject: Microsoft Settlement
shelley owens
14904 landmark dr
louisville, ky 40245-6525
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
shelley owens

MTC-00013031

From: Kenneth Patterson
To: Microsoft Settlement
Date: 1/16/02 9:48am
Subject: Microsoft Settlement
Kenneth Patterson
21658 Sedco Heights Dr.
Wildomar, Ca 92595
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Kenneth E. Patterson

MTC-00013032

From: W. Bryant Hickman
To: Microsoft Settlement
Date: 1/16/02 9:35am
Subject: Microsoft Settlement
W. Bryant Hickman
14602 Claycroft Ct.
Cypress, TX 77429-1884
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
W. Bryant Hickman, P.E.

MTC-00013033

From: Bob and Betty Holden
To: Microsoft Settlement
Date: 1/16/02 9:32am
Subject: Microsoft Settlement
Bob and Betty Holden
5456 Peaceful Lakes Drive
Jamesville, VA 23398
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Bob and Betty Holden

MTC-00013034

From: SUMNER THOMPSON
To: Microsoft Settlement
Date: 1/16/02 1:11pm
Subject: Microsoft Settlement iT LOOKS GOOD TO ME.
SUMNER THOMPSON
8 Honan Rd
SCARBOROUGH, ME 04074
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
SUMNER L THOMPSON

MTC-00013035

From: john kinsella
To: Microsoft ATR
Date: 1/16/02 7:17pm
Subject: Microsoft Settlement

I must say I'm extremely disappointed with this "settlement." The Clinton administration worked very hard to prove that Microsoft hold monopoly power and abused that power at the expense of it's competition. As soon as the Bush administration took office, it seems as if the Justice Department became very willing to give into Microsoft's wishes, to let Microsoft continue to wield it's monopoly power unfettered. I had hoped that the Justice Department would take this opportunity to take a stand. A monopoly is not good for the market, for the industry, for the economy, for the country. This settlement provides almost no putative measures, something necessary to "bring them down a notch." The (illegal?) hoards of tens of billions of dollars in cash Microsoft holds makes and monetary putative measures useless. The only thing that can change the business practices of Microsoft, making the industry more competitive and open, is to attack the one thing that could actually hurt Microsoft, opening up it's Window's API's. These are the only things that guarantee Microsoft it's monopoly power and the only thing that can break that power. I'm not talking about some minor "promise to make some API's more available to some people. . . ." promise. In some way Microsoft must be made to make it's platform completely open, that anyone can have the same access to the underlying code as Microsoft itself has. And if it's found that Microsoft has hidden or not opened up those API's completely, there must be some other, very strong response by the government, including monetary punishment and the threat of a possible breakup of the company (ala AT&T and the proposal by the original trial judge.)

Those are my thoughts on this remedy. I think it's completely useless, does nothing to protect the public nor creating a more competitive market, and is full of so many loop holes that it would be easily circumvented by Microsoft. I urge you to reconsider your position and take a stronger stance with Microsoft. That's why this case was started in the first place.

MTC-00013036

From: Penny Woods
To: Microsoft ATR
Date: 1/16/02 7:18pm

I would hope this could be resolved quickly by both sides in a fair way. Further litigation is not favorable in view of present market conditions & the need to move on.

MTC-00013037

From: Douglas J. Jamieson II
To: Microsoft Settlement
Date: 1/16/02 11:04am
Subject: Microsoft Settlement
Douglas J. Jamieson II
8391 20th Ave

Sears, MI 49679-8048
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Douglas J. Jamieson II

MTC-00013038

From: William Futrell
To: Microsoft Settlement
Date: 1/16/02 2:49pm
Subject: Microsoft Settlement
William Futrell
1703 Ulster Dr.
Elizabeth City, NC 27909
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Mrs.&Mrs. William R. Futrell

MTC-00013039

From: Harold J. Thompson
To: Microsoft Settlement
Date: 1/16/02 10:42am
Subject: Microsoft Settlement
Harold J. Thompson
845 Lone Rock Road, PO Box 117
Glide, OR 97443-0117
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Harold J. Thompson

MTC-00013040

From: Mr & Mrs Harley W Earles
To: Microsoft Settlement
Date: 1/16/02 1:14pm
Subject: Microsoft Settlement
Mr & Mrs Harley W Earles
11774 Sunview Street
Lakeview, OH 43331
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Mr & Mrs Harley W. Earles

MTC-00013041

From: Robert Maynard
To: Microsoft Settlement
Date: 1/16/02 10:54am
Subject: Microsoft Settlement
Robert Maynard
8420 Sunset Drive
Orlando, FL 32819-3227
January 16, 2002

Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

MSgt Robert E. Maynard, USAF, Ret.

MTC-00013043

From: Ryan
To: Microsoft ATR
Date: 1/16/02 7:29pm
Subject: Microsoft Settlement

It seems as though the reason Microsoft is on trial has been forgotten. Plain and simple Microsoft is a Monopoly and action needs to be taken to stop them from continuing to play that roll. Do not allow Microsoft to bribe their way out of this.

The previous solution of breaking Microsoft into separate companies seemed to be more on track. What happened to that line of thinking? Was it clouded by money that Microsoft was throwing around? Please do what needs to be done. Justice needs to be served.

Ryan

MTC-00013044

From: Ryo Chijiwa
To: Microsoft ATR
Date: 1/16/02 7:18pm
Subject: suggested remedy

In order to prevent Microsoft from engaging in anti-competitive monopolistic practices, I would suggest one or more of the following:

(1) Order Microsoft to OpenSource all versions of the Windows operating system currently in use as well as all versions that are released in the next 5 years. All other major operating systems (UNIX, MacOS X) have a major portion of the source code open to the public. This is the best way to ensure all API's are open to the public, and may even benefit the Windows platform, as it will be subject to peer review.

(2) Order Microsoft to open up proprietary document formats used by MS Office and other software products like Windows Media Player. This will allow competitors to create compatible software products, making it easier for users to switch from (or to) the Windows platform.

(3) Order Microsoft to adopt standards and technologies overseen by such organizations as the W3C and IEEE to ensure better cross platform compatibility of software and hardware products, as well as network services.

I would like to point out that Microsoft is a repeat offender, and preventing Microsoft from behaving similarly in the future will, at the end, help other businesses as well as consumers. Punishing Microsoft for hurting the industry will not have any negative consequences to our economy, nor will it stifle innovation.

Regards,

Ryo Chijiwa

MTC-00013045

From: Wyatt Earp
To: Microsoft ATR
Date: 1/16/02 7:20pm
Subject: Microsoft Comments
Lizard on a Stick A.G.

Content-type: text/plain; charset="US-ASCII"

Content-transfer-encoding: 7bit

I'm a computer systems administrator for a private school. I have used computers for 17 years. I vote and pay taxes and I would like to comment on Microsoft and a potential settlement.

1. Microsoft has shown that it will not work fairly with other software or hardware companies, so Microsoft must publish the applications programming interface or API

for all of its operating systems for the next 10 years, so that other Operating Systems will be assured of inter-operability with Microsoft Operating Systems.

2. Microsoft also needs to publish its in-house APIs so other software companies are on the same level playing field as Microsoft.

3. Microsoft also needs to release the source code for its browser, Internet Explorer, because that is the root of the current situation. Those are the things that need to be done so that Microsoft is punished for its illegal actions.

They committed an illegal act, punish them.

Mark Buchholz
555 NW Park Ave
Portland OR 97209

MTC-00013046

From: James Turner
To: Microsoft Settlement
Date: 1/16/02 10:03am
Subject: Microsoft Settlement
James Turner

2709 Taylor St
Hollywood, FL 33020-4333
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

Please stop wasting my money and hindering the economic recovery of the United States of America.

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

James R. Turner

MTC-00013047

From: Clay Leeds
To: Microsoft ATR
Date: 1/16/02 7:25pm
Subject: Microsoft Settlement

To whom it may concern:

Please be strong in your actions against Microsoft. I urge you to exercise your power

to ensure that Microsoft does not retain its monopoly over the PC industry. Please require Microsoft to fully standardize, document and publish the Microsoft Windows APIs, as well as the Microsoft Office APIs, so that other software vendors can compete with Microsoft on these fronts. I believe that Microsoft unfairly abuses its monopoly power to keep down legitimate technology companies. In addition, Microsoft has flagrantly disregarded previous attempts at stemming the tide of limiting Microsoft's monopoly.

Please do the right thing for the good and honest citizens and corporations of the United States of America.

Thank you.

Clay Leeds

Web Developer/Programmer
cleeds@medata.com

MTC-00013048

From: Ron Severdia

To: Microsoft ATR

Date: 1/16/02 7:26pm

Subject: Microsoft Settlement

To Whom It May Concern:

Surely there are political forces at work behind the proposed settlements to the Microsoft antitrust suit. How else could one explain the leniency and reckless disregard for protecting the general public against such business practices? Are we to allow this to continue? Have big businesses intimidated the federal government to the point they are granted "carte blanche"?

The current resolution under debate is more than unacceptable. It is a farce because it, in no way whatsoever, represents a punishment for Microsoft's **proven** (again, I emphasize PROVEN) illegal acts. It is a resolution that will only continue to foster Microsoft's growth and stronghold on the PC market (especially where it's most deficient—the education sector), despite it's lack of innovation and morale. Their casual attitude towards the DOJ (and other legal entities opposing them) and their boldface lies (they told the court that, "sure, it would supply a version of Windows with Internet Explorer removed from its guts, but gee, sorry, then Windows wouldn't work.") shows nothing but contempt for the free-market society which helped them build up to where they are; the same free-market society they misused and abused along the way.

I am extremely thankful for the 9 states that have had the insight, intelligence and courage in refusing to accept this situation as is (being from California, I am especially thankful we are one of those 9.) It is only because of them I have had any faith that this matter will be resolved fairly and according to what is in the best interest of society, and most importantly our country. I hope that this kind of unwavering determination will ensure justice prevails.

I urge you to resolve this matter in a manner that may not be consistent with the lingering political motives, but in a fashion that will be in the best interest of the American people.

Sincerely,

Ron Severdia

MTC-00013049

From: Michael

To: Microsoft ATR

Date: 1/16/02 7:32pm

Subject: Microsoft Settlement

I am disappointed by the penalties not imposed on the software giant. The software giant does not need to propagate its muscle by giving out and providing computers to the poorest schools. If that was the case. . . LET these poor schools make the choice of which operating system they wish to have in their school system. Besides. . . if they are in fact the poorest schools how can some of these schools justify an IT person or persons on staff to maintain Windows machines. The alternative Operating systems offer much more less maintenance and will not hurt the schools that are poor. This is not a choice. . . it is stuffing every school with an operating system that it is forced to use. . . without given the chance to choose.

I say fine them (very steeply). . . . Allocate the money to the poorest schools and let the people make the bids and offers. . . let the school make the choice. Do not let Microsoft FORCE FEED their power upon these people. . . it will just give them more reason. . . for dominance. That is the very thing that defeats the purpose of the suit. As a consumer that is unfair and uncalled for.

A Disgusted Citizen

MTC-00013050

From: JGKnox@aol.com@inetgw

To: Microsoft ATR

Date: 1/16/02 7:33pm

Subject: Microsoft Settlement.

January 16, 2002

Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Ashcroft:

I am concerned not only that the Microsoft antitrust case has dragged out for so long, but also that the settlement which is now pending threatens to be overturned if the correct course of action is not pursued. Nine states with a vested interest in the Microsoft case are currently seeking to overturn the settlement and to seek to reopen the antitrust suit against Microsoft. This has gone on long enough. I do not believe it is necessary to waste the time and resources of the Department of Justice, Microsoft, and the plaintiff states any longer. I urge you and your office to carefully consider the implications of extended litigation before any decisions are made.

First of all, additional litigation is unnecessary. Microsoft, while it may have been in violation of antitrust laws at the beginning of the suit, has agreed to terms in the settlement that would prevent them from further antitrust violations. For example, upcoming versions of Windows will now be formatted in order to support non-Microsoft programs and products, and various line code, interfaces, and protocols will be disclosed to Microsoft competitors so that they will be able to create workable interfaces between their programs and the Windows operating system. Microsoft has also agreed to license applicable intellectual property rights to all third parties working under the terms of the settlement.

Secondly, further litigation is unwise. I do not believe it is in the best interests of the economy, the consumer, or the American IT industry to continue to drag out the suit any longer. It is a waste of time and money and it will lead to no good. The settlement reached is just to all parties involved and needs no further modification. Microsoft and state and federal resources have been tied up for too long in this suit. The American economy, as well as the American IT industry, have been hurt by this stagnation. This is unconscionable. The Department of Justice in antitrust cases is supposed to work in the public interest. As far as I can determine, the public has only been hurt by the lack of swift conclusion. I urge you and your office to take a stand and allow the settlement to pass without further delay.

Thank you.

Sincerely,

John Knox

106 Sprout Road

Muncy, PA 17756

ph:570-546-2012

cc: Senator Rick Santorum

CC:JGKnox@aol.com@inetgw

MTC-00013051

From: Pamela/Robert Hansen

To: Microsoft ATR

Date: 1/16/02 7:35pm

Subject: Microsoft Settlement

The settlement is fair and let's settle this matter at once. Enough is enough, settle. I believe it could never have been filed in the first place.

MTC-00013052

From: Patrick McCloskey

To: Microsoft ATR

Date: 1/16/02 7:35pm

Subject: Microsoft Settlement

Make Microsoft include the top 2 competing products in Windows XP to finally give consumers REAL choice, for example:

Make them include QuickTime and Real Audio along with their Windows Media Player in a standard XP installation.

Make them also include NetScape and Opera along with their Internet Explorer web browser during a standard XP installation.

Apple has been doing this with their Mac OS installations for years and it has been great for both the Mac user community (consumers) and the Mac market overall. There's no reason that Microsoft shouldn't do this freely for consumers too.

Patrick McCloskey

MTC-00013053

From: Scott Clawson

To: Microsoft ATR

Date: 1/16/02 7:20pm

Subject: Microsoft Settlement

Dear Sir or Madam,

Any settlement with Microsoft *must* contain provisions to curb Microsoft's anti-competitive behavior. I personally favor a solution that would break up the company into at least two companies; one providing operating systems and the other providing applications such as Microsoft Office. Here is a recent example of why I feel this way: Yesterday I ordered a computer from Dell. My *only* choice when ordering one of their

standard configurations would be to get Microsoft Office. I could *not* order a computer without Microsoft Office, except perhaps by calling Dell on the phone and insisting.

In the last 8–10 years, every computer I've owned has come with a copy of Microsoft Word. Is it any wonder that companies like Word Perfect and Lotus have essentially disappeared? Why would I go buy a copy of Word Perfect when I've already been forced to buy a copy of Word? Microsoft's monopoly on operating systems gives them the ability to force hardware manufacturers like Dell to bundle Microsoft Office with every PC they sell.

I repeat, that any settlement with Microsoft must contain provisions to stop this kind of anti-competitive behavior.

Thank you for allowing me to submit my opinion.

Scott Clawson
Datafest Technologies, Inc.

MTC-00013054

From: Chris Charuhas
To: Microsoft ATR
Date: 1/16/02 7:36pm
Subject: Microsoft Settlement
Please put Microsoft's APIs and Office file formats in the public domain.
Thank you,
Chris Charuhas
Chris Charuhas / Visibooks
<http://www.visibooks.com>
chris@visibooks.com
804.278.9188 phone

MTC-00013055

From: Jesse Spears
To: Microsoft ATR
Date: 1/16/02 7:38pm
Subject: Microsoft Settlement

To whom it may concern:

I'm writing to you to protest the current proposed Settlement in the Microsoft Antitrust case.

Microsoft has shown time and time again that they will NOT compete fairly if allowed any leeway in how to do that. They will corrupt, twist, and abuse any loopholes given to them.

The current proposal does not go nearly far enough in establishing a fair and even playing field for Microsoft and their competitors. It essentially leaves Microsoft free to abuse their competitors as they have been doing for almost 20 years.

I will now quote a recent article from Salon.com, because the author says this better than I can:

There's no reason to think the Justice Department's proposed settlement will work any better than the consent decree of last decade did. And financial penalties can hardly wound a company that is sitting on a cash hoard of tens of billions of dollars. But intellectual property—that's something Bill Gates and his team really care about. Requiring them to divulge some of it in order to restore competition in the software market might actually get them to change the way they operate.

With Microsoft's APIs and file formats fully standardized, documented and published, other software vendors could

compete fairly—which, after all, is what antitrust laws are supposed to promote. We might then be faced with a welcome but long unfamiliar sight: a healthy software market, driven, as today's processor market is, by genuine competition.

Please reconsider your current plan. It will not solve anything, or provide any relief or protection from Microsoft's heavy handed, anti-competitive practices.

Sincerely,
Jesse Spears
Austin, TX —
Jesse Spears
SpearSoft <<http://www.spearsoft.net>>

MTC-00013056

From: Kyle Stevenson
To: Microsoft ATR
Date: 1/16/02 7:39pm
Subject: Microsoft Settlement
I think that handing Microsoft a 2 year moratorium on licensing out Windows would be very fair. They would be allowed to sell the software on retailer shelves only. This would allow them access to an open market, while giving all competitors 2 years to catch up on market share. This would totally open up the licensing market MS used to monopolize the industry.(ie. cheaply bundling their software in with manufacturers PC's.) This would have to be announced in advance to give all parties a lead time. If I can help just email.

MTC-00013057

From: imac@polyex.com@inetgw
To: Microsoft ATR
Date: 1/16/02 7:39pm
Subject: Microsoft Settlement

Hi,

If you guys want to find out some anti-competitive tactics Microsoft pulled, you should look into the nonsense they were pulling after 1993 or so when they divorced from IBM on the OS/2 project. Among other things they bought the only company that made a program to install OS/2 applications, and cancelled the OS/2 product within days. They also bullied computer manufactures with threats of higher Windows licenses if they dared bundle OS/2 with their machines. As an early developer of OS/2, this had a direct impact on myself and countless other OS/2 ISV's most of which are out of business now.

OS/2 Warp (Version 3.0 of OS/2) was a real threat to Microsoft and they did everything they could (legally or illegally) to sink the product.

-Adam Hall

MTC-00013058

From: Patrick McCloskey
To: Microsoft ATR
Date: 1/16/02 7:40pm
Subject: Microsoft Settlement

Keep competition alive by forbidding Microsoft from selling to certain markets. Keep them out of the Education market, period. Let someone else (Apple) dominate that market space and keep a competitor strong.

Patrick McCloskey

MTC-00013059

From: robert wehrle

To: Microsoft ATR
Date: 1/16/02 7:42pm
Subject: microsoft settlement
Can you provide name and address of Florida Atty. Gen?
Bob

MTC-00013060

From: Steve Justis
To: Microsoft ATR
Date: 1/16/02 7:42pm
Subject: Microsoft Settlement

Please help make the computing and operating system market fun and vibrant again by making Microsoft less powerful by reducing the power of their monopolistic power over the industry. Here are some ideas:

1. Make Microsoft ship full featured versions of all there desktop software for ALL competing Operating Systems. This is not just MS Office but ALL of their desktop applications like MS Project, Visio, Publisher, etc. . .
2. Make Internet Explorer FULLY COMPLIANT with WC3 standards
3. Make Microsoft to fully integrate Suns JAVA in all versions of the windows OS
4. Create a committee that reviews MS behavior on a quarterly basis
5. Make all Microsoft network protocols and file systems cross compatible with Linux and the Mac by default.

MTC-00013061

From: Morrie Schneider
To: Microsoft ATR
Date: 1/16/02 7:44pm
Subject: Microsoft settlement

The DoJ should not punish Microsoft for perceived but unproven monopolistic practices. Microsoft's competitors are the only ones who will unfairly profit.

MTC-00013062

From: John C. Long
To: Microsoft ATR
Date: 1/16/02 7:51pm
Subject: Microsoft Settlement

Department of Justice:

It seems to me that the government should be in the business of fostering an environment where business can flourish and not in tearing them down. Most of the state attorney generals do not want a settlement because they are protecting businesses which are domiciled in their state. It is mostly jealousy and not business protection. For the life of me, I can not see how the government can make me share something for which I worked and invested my money to develop. That is what they appear to be doing in the case of Microsoft.

I urge the Justice Department to settle this case as proposed and let everyone get on with their business. There are always those who want more, whether it is Microsoft competitors or victims of the World Trade Center.

Sincerely yours,
John C. Long

MTC-00013063

From: projektor Films
To: Microsoft ATR
Date: 1/16/02 7:52pm
Subject: Microsoft Settlement

Dear Sirs:

I am very troubled as an early adopter of technology and a user of multiple platforms that MS has consistently robbed, raped, and forced independent developers of software and hardware to often go against their best interest.

Just look at their implementation of Java, QuickTime, and Real software for how they have stunted the consumers right to choose.

Further, this company is not an innovator, instead they have cobbled together (badly) a group of programs that they mostly have not developed in house, and the macro language they used (vbasic) leaves all users open to easy hacking and abuse.

Also, the pitiful use of lawyers to block the truth, and more importantly, consumers ability to use other programs or deselect programs forced upon the Windows desktop. i.e., Please examine Macintosh versions of MS Project, Links, Excel, Automap(renamed), all developed on Mac and ported THEN DISCONTINUED or not updated for YEARS. Also, one need only to examine Netscape's browser, the top 5 hardware manufacturers ability to change the startup or desktop, and features continue to be built-into the OS (which wasn't an OS before win 2000) and the inability to purchase an Intel based machine without their software pre-installed.

Freedom demands that you examine ways to make this rogue company pay CASH damages, as this is the only way a juggernaut of this size can be slowed, and please limit any and all abilities for this company to restrict our TV Console and Game Console industries with their underdeveloped, buggy, and sub-par software offerings.

I have been in this industry for nearly 20 years, and this company would be a better competitor if it's wings and the egos of the operating officers were severely curtailed for their illegal and pervasive ignorance of both the spirit and the letter of the laws of the United States.

You are our last, best hope: capitalism is no excuse for immoral gross negligence, and this administration cannot look the other way when the "little guy" is beat up by the fat, slothful bully.

thank you for you time and attention.

cjs

projektor@yahoo.com

MTC-00013064

From: John Mistura
To: Microsoft Settlement
Date: 1/16/02 1:21pm
Subject: Microsoft Settlement
John Mistura
1175 adele ln.
San Marcos, CA 92078-4572
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

I have a choice if I want to buy this product or not. I don't have that choice with gas bills, and food etc. Stop wasting my money. I never received a raise. The politicians can give themselves a 5,000 dollar raise, and then tax my family more to pay for this and that. Whatever! STOP. . The Microsoft trial

squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

John Mistura

MTC-00013065

From: Bela Beik
To: Microsoft ATR
Date: 1/16/02 7:56pm
Subject: Microsoft Settlement

I am a consumer, using Microsoft product. I am satisfied with all my purchased MS product.

It is time for the DOJ to get off the back of MS.

Bela Beik

Boonton, NJ

MTC-00013066

From: William M. Benjamin
To: Microsoft ATR
Date: 1/16/02 8:04pm
Subject: Microsoft Settlement

This company should be broken up into three separate companies. It is a shame that the Justice department will let them walk.

MTC-00013067

From: Wayne Pinkham
To: Microsoft ATR
Date: 1/16/02 8:00pm
Subject: Microsoft Settlement.

Dear Renata B. Hesse,

I am a computer consultant who has experience in teaching and supporting computers in a private school for learning disabled students. My experience in computer consulting includes technical support for main frame, Unix, Microsoft products and computer networking support. I am a Microsoft Certified Systems Engineer and provide free technical support to computer users in my free time. Much of the free technical support I provide is for users who have problems with Microsoft products. I have been following the Microsoft Anti-Trust Case and I am glad to see that what would have been the ideal settlement on the side of Microsoft has been challenged. Microsoft's proposed settlement would have

not penalized Microsoft, but in fact would have been a great benefit to Microsoft. Their proposal should have raised many questions about the intentions of such an action and the real cost to Microsoft for the proposed settlement.

If Microsoft were to donate software to schools systems they would be given an unfair advantage in marketing their software. I have personally seen this type of marketing launched by Apple Computer Corporation in the 80s. Apple provided all sorts of incentives and reduced prices to school systems to entice them into purchasing computers for the classrooms. The goal of this marketing ploy was to develop the incentive for parents of the students to buy apple computers. This method helped Apple Computers to increase their volume of sales. This settlement would allow Microsoft to use the same tactics in their punishment. Microsoft could introduce new software for the students use and then subtly encourage the parents to purchase the new software. This is a net plus to Microsoft which in fact nullifies and penalties.

If the judgement is to punish Microsoft then it should be felt by Microsoft and its corporate officers. If Microsoft is allowed to donate software then all they have to do is manufacture CDROMs at a cost of less than \$1.00 per copy and the charge the the market value of the software against their settlement. This is a great deal for Microsoft as they could charge of \$89 for each copy of Windows 98, between \$269 and \$299 for each copy Windows.XP Professional, and between \$189 and \$199 for each copy Windows.XP Home Version. This would effectively produce a pennies on the dollar settlement. This would ultimately be cheaper than an advertising campaign. The net result is that Microsoft effectively feels no pain with this punishment.

Microsoft's launch of Windows.XP would appear to the average American to be a clear case of Contempt of Court. Microsoft Corporation does not have to comply with the court rulings, just as it does not have court good feelings from their product users.

I would like to see real penalties applied to Microsoft for their actions. The break up of Microsoft would be no more adverse to the economy than the breakup of AT&T. Would we have the telephone and Internet services at the low rates today if AT&T was allowed to continue to operate without the breakup? If Microsoft were to be broken up more innovators would be able to step up and compete. If the breakup is not done then the least that should happen is that Microsoft should be forced into making Windows 95, 98 and Windows NT public domain. Other innovators could then improve those products and offer an alternative to Microsoft.

Thank you for your time and consideration.

Sincerely,

Wayne Pinkham

MTC-00013068

From: E. STANFIELD
To: Microsoft ATR
Date: 1/16/02 8:02pm
Subject: Microsoft Settlement

Settle this, and let the attorney generals of the states hang. Perhaps they'll go back to work on important things in their states and quit trying to make headlines.

I suggest that finally this Microsoft problem be solved at once. It's about time success was valued, however, in the future if Microsoft gets too far out of line, then clamp down again.

Earl W. Stanfield

MTC-00013069

From: Wesley Horner

To: Microsoft ATR

Date: 1/16/02 8:02pm

Subject: microsoft settlement

If Microsoft is allowed to buy SGI 3D patents they will own the defacto standard that is in direct competition with their 3D offerings. This is going to make developers HAVE to use microsoft's version if microsoft decides to limit access to these technologies this tying people to their platform. <http://www.theregister.co.uk/content/54/23708.html>

I cannot support or endorse such a move and I hope that my government agrees.

Wes

wesman@resnet.uoregon.edu

MTC-00013070

From: Jim Dyson

To: Microsoft ATR

Date: 1/16/02 8:08pm

Subject: Microsoft Settlement

Thank God something is finally being done with microslth. I am for anything that breaks microslth's back. Please make it real. make them give out the API's and tell them to stop messing with Java. Install Netscape on every new pc, let OEM's put on what they want. microslth is just a proprietary os. Can you believe that they wanted to tell the doj what their punishment is to be? Everywhere you look is microslth this or that. . .

thanks for your time

Jim Dyson

MTC-00013071

From: Dennis (038) Diana Wright

To: Microsoft ATR

Date: 1/16/02 8:08pm

Subject: Microsoft Settlement

I think the settlement should be something along these lines:

To compensate for past abuses:

1. Heavy \$ fine that is proportional to the \$ gain they have achieved as a result of these practices. This somewhat corrects for penalty for past sins.

To avert future abuses:

2. They should have to publicly publish all APIs in the Windows Operating Systems.

3. Require them to release applications programs on ALL platforms simultaneously with equivalent features. They should not be allowed to schedule releases for a competing platform at much later dates than the applications on the Windows platforms. They have used this quite cleverly in the past to yank other companies around by threatening to drop support for other platforms (with their Office Suite) when other platforms need the Windows applications to exist because their predatory practices have created the monopolies. This will remove the "platform preference" issue

that Microsoft so cleverly uses by creating second-rate applications for other platforms. I cite their slow native support for the Macintosh PowerPC chip by not have any native applications for almost two years after most other companies. When Office Word 5.0 appeared, it was doggedly slow. The point of that was to slow the adoption of the PowerPC and to impede Apple from making gains against the Intel Pentium Chip.

4. Require them to publish all file formats for all their applications. This will allow competitors to write similar programs that can compete with Microsoft's and yet interact with Microsoft software at a file level. Currently no one can do that because Microsoft keeps those things secret. Some reverse engineering of these file formats has been done, but with limited success. Microsoft keeps changing them so that if someone were to figure them out, that knowledge would be obsolete possibly on the next release.

Microsoft and its CEO have revealed to the world during the anti-trust trial of what liars and thieves they are. Please impose severe punishment on them and rid America's computing desktop of the Microsoft criminals. They are a blight on technological development!

Robert Wright

MTC-00013072

From: Ned Simpson

To: Microsoft ATR

Date: 1/16/02 8:09pm

Subject: Microsoft Settlement

I feel that the settlement should consist of something other than Microsoft products. If Microsoft is willing to "give" a billion dollars of product and software to schools, why not make it products from those who directly compete with them. After all, the idea is to penalize them for breaking the law, not reward them with market share.

Ned SimpsonH: 408.445.8289

c/o 656 Lanfair DriveC: 408.823.5196

San Jose, California

Postal Code 95136

MTC-00013073

From: David Lentz

To: Microsoft ATR

Date: 1/16/02 8:12pm

Subject: Microsoft Settlement

This note is in response to the request for public comment on the Microsoft-DOJ "settlement".

Let's see if I understand the settlement purchased by Microsoft—after being convicted of predatory business practices and abusing their monopoly power, Microsoft will:

(1) Not be impeded in any way, shape or form from using their existing monopoly power to extend their influence to other industries by restrictive covenants and bundling products to exclude/crush competitors

(2) Not be required to compensate either the companies damaged (Netscape comes to mind) or the consumer for damages inflicted by their crimes. Indeed, so far as I can tell, our government's position is that the Microsoft monopoly and absence of competitive drive in the small computing

marketplace is the best thing that ever happened to us.

(3) Be forced to push "one" billion dollars, into one of the few markets not completely under their control (education), in a manner virtually guaranteed to give them a dominant influence, leaving them with "only" a 35+ billion dollar cash position.

(4) Be subject to the smallest degree of oversight possible, by a handful of individuals with no degree of control over the actions of the company they are overseeing. I expect the nation's news media to be a more effective control, but only to the degree that Microsoft cares what is said about them. If past reflects the future, they couldn't care less what anyone thinks about the way they conduct their business, so long as they are free and unencumbered.

Is that about the size of it? Do I understand it? I guess my reaction is that Microsoft got one hell of a bargain for their investments in the US Government (meaning the Executive branch, Legislative branch, and Judicial branch). I figure that the additional markets and profits this "settlement" will acquire for them will more than pay for their legal expenses. Looks to me like in the case of "Microsoft vs the DOJ", that regardless of the "official verdict", Microsoft won and the government is begging their forgiveness via this "gift" of a settlement.

Just my opinion and comment.

David Lentz

15126 Count Fleet Ct

Carmel, IN 46032

davelentz@acm.org

MTC-00013074

From: Margaret or Glenn Johnson

To: Microsoft ATR

Date: 1/16/02 8:13pm

Subject: Microsoft Settlement

Attorney General John Ashcroft

United States Department of Justice

Washington, DC

Dear Attorney General Ashcroft:

I believe that, in a capitalist society, it is the role of government to stay out of private industry. I feel that the government's antitrust suit against Microsoft is a direct violation of the ideals that have established this country as the most powerful nation in the world. I am pleased that a settlement has finally been reached, so we can finally put this foolish business behind us.

This suit has done irrefutable damage to the United States economy, and if we continue with this litigation we will only be hurting America more. As we are faced with a possible recession we need to take stock of the damage that this could cause if it is pursued any further. Microsoft is one of the largest employers in America. When times are bad economically you do not attack employers. Microsoft is also the leader of America's fastest growing economic sectors. This suit has caused the IT industry to flounder allowing room for overseas competitors to elbow their way into a field that we should easily be able to dominate.

I thank you for the work that you have done in bringing forth this settlement. I hope that you will have the foresight to protect free trade and capitalism for America's future.

Thank you.

Sincerely
Glenn Johnson
P.O.Box 1057
Dunlap, TN 37327-1057

MTC-00013075

From: Paul Bunker
To: Microsoft ATR
Date: 1/16/02 8:14pm
Subject: Microsoft

As a customer purchasing system software I have no complaint with Microsoft. Actually they are their own greatest competitor. They do have serious competition. Only their competitors are complaining about them. Anyone who doesn't like Microsoft can use Linux. Get off Microsoft's back. The Governors are simply looking for more money to squander like they are squandering the tobacco money. Take Microsoft's settlement offer and get on to prosecuting some real criminals.

Paul Bunker.

MTC-00013076

From: Barb Hansen
To: Microsoft ATR
Date: 1/16/02 8:07pm
Subject: Microsoft Settlement.
January 16, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Ashcroft:

The Department of Justice and Microsoft have finally settled their three year long antitrust case. We are writing to you to give our support to this settlement. It has, in our opinion, gone on far too long. Any further litigation would damaging to America's economy

We personally think the antitrust case was more an attempt by Microsoft's competitors to disarm the company than any unfair business practices. "Sour grapes" is the only term we can think of to describe the antitrust case against Microsoft.

Overall, Microsoft has been very fair. Microsoft has agreed to release its intellectual property in the internal interface for the Windows operating system; license other intellectual property; open up Windows to modifications to let its competitor's more easily promote their products; and subject itself to a technical committee checking for compliance with the agreement.

It is time to move on. America has rebounded from last September. We have a great deal of optimism about our economy. We need to let Microsoft get back to what it does so well—innovation in the technology field. We urge you to give your support to the Microsoft settlement. We do.

Sincerely,
Barbara & Richard Hansen
101 Ballard Way
Onalaska, WA 98570

MTC-00013077

From: Paul Ochsnier
To: Microsoft ATR
Date: 1/16/02 8:19pm
Subject: Microsoft Settlement

leave them alone to do business. .!!!!
if you look at the begining of the fall of the tech sector, it was at the time the Clinton

administration started harassing Microsoft. .
leave them alone. let them do business. .

Paul Ochsnier
Salem, OR

MTC-00013078

From: emil meek
To: Microsoft ATR
Date: 1/16/02 8:25pm
Subject: Microsoft settlement

I am personally really aggravated by the callous attitude that Microsoft directs toward these proceedings. I think that the proposed settlement by Microsoft to give computers and (virtually free to them) software is arrogant. I feel that they cannot continue to leverage market shar3/dominance in their favor to crush differentiation and competition.

Emil Meek,
Kingston, WA

MTC-00013079

From: hal
To: Microsoft ATR
Date: 1/16/02 8:27pm
Subject: Microsoft Settlement

In my opinion, the proposed settlement does not adequately protect consumers from Microsoft's heavy handed tactics. They continue to bundle product and coerce consumers. To ensure adequate competition, they should be required to publish, with an appropriate lead time, the specifications of all the proprietary file formats and API's. This would give competitors a chance at competing in an otherwise closed environment controlled by Microsoft and protected by their monopoly. —

Halklingons@speakeasy.org

MTC-00013080

From: David M. Ensteness
To: Microsoft ATR
Date: 1/16/02 8:24pm
Subject: Microsoft Settlement

Dear Sir or Madam:

As a college student at a private liberal arts college in Minnesota working in the Information Technology Dept. I have witnessed first hand the outcome of Microsoft's unfettered actions. Our campus suffers directly because of the built-in incompatibility of MS products to work with competitors' products including JAVA, QuickTime, Mac OS, Linux, BSD UNIX, Solaris, and other backbone technologies.

Last year our campus made a rush move to upgrade from Windows NT 4.0 to Windows 2000 because of the promise that we would be able to integrate it into our network structure more smoothly. This has not been the case. While the problems with NT rendered much of the campus network of 4,000 terminals unusable for our 2,400 students and many of our faculty, Windows 2000 has been a mixed blessing. Campus wide incompatibilities still loom large and prevent a true cross-platform environment [which we have been able to create between minority alternative platforms] from existing. Our reliance on MS software due to their various monopolies has ensured that we may not choose to migrate away from the Windows platform.

I have read and reviewed the published information regarding the MS settlement

agreed to by MS and the DOJ and have contacted my Attorney General regarding the matter. I do not agree with the settlement proposed by the DOJ and the nine states which have decided to settle. I do agree with the settlement proposed by the nine states continuing the case which was refused by Microsoft.

I feel that MS must be forced to provide an unbundled version of Windows to OEMs, open source code to monopoly tied software such as Windows, Internet Explorer, Office, and others and license other companies to produce fulling compatible versions of MS software for both Windows and other platforms. These licensees must be given full and complete access to any proprietary code that relates in anyway to the product they are to produce so that they are able to have an equal chance to develop quality software.

As Always,

David M. Ensteness
Apple Core Chairman
GAC MUG

CC:attorney.general@state.mn.us@inetgw,
list@gacmug.or.

MTC-00013081

From: polly a. woodress
To: Microsoft ATR
Date: 1/16/02 8:26pm
Subject: Microsoft Settlement

Sirs:

Thanks very much for giving the public the opportunity to voice opinion in the settlement of the MSFT case. The entire circumstance around this case is very upsetting. Some say it all came about because MSFT and Bill Gates didn't contribute enough to political campaigns, or have a huge lobby in Washington representing their interest. Some say it was the jealous competitors who did give political contributions and have a strong lobby in Washington that got the Justice Dept. to go along and punish MSFT. I personally hope none of this is the case, because if it were the case it would go against every principal, in this opinion, that our country is founded on. Americans today are so cynical and non-trusting of our government, including the Justice Department, that somewhere, someday, someone must have the courage to stand up and say: "This case was dreamed up, schemed up by some special interest. It has no merit. It was intended to destroy and/or punish a very successful corporation of which we are all jealous. Many of us in the D of J have never worked outside government, we are easily swayed by one sided propaganda and lacking experience in the outside world of free competition, we misjudged the collapse of our "Ivory Tower" thinking. We were wrong. We want to correct our wrong.

Microsoft has done no wrong, but instead has contributed vast qualities of knowledge and productivity, while giving our entire country unbelievable economic gains." Yea! Sure! The chances of that happening are zero. But somehow, we must stop letting the Government destroy everything that is good for a majority of our nation. Remember what it was like in the 1970's and 1980's, American had almost given up on everything! Then comes the 1990's and just

when we get a leg up, the Justice Department come crashing everything down! If it wasn't so sad, it would be funny. The Justice system says that Bill Gates and company have done TERRIBLE thMSFT tnbpericans! Mercy! I wouldn't be e-mailing you now if it wasn't for Mr. Gates and Company. . . My 80 year old Father would not be trading stocks nbspne now if it hadn't been for Mr. Gates & Co. I remember when personal computers first came out. . . We had to learn DOS commands, then we bought our software thnbsould just do one tiny thing for hundreds of dollar\$, with hundredsnbsp dollar\$ merittpenbspor each application we wanted to use. I remember! It was terrible. Everyone used something different, nothing was compatible, and most everything didn't work well. And, I don't get it. . . I looked at other operating systems as I bought more computers through the years. . . I looked at the Apple Mac system, I looked at the IBM OS2 system. . . How can the government say that MSFT is the only system? MSFT just kept adding new things that made computing easier, faster and cheaper for the customer. We had a choice! We made the choice and the choice was MSFT! Don't punish them for that!

Whatever you do, please don't impose such a harsh judgement that will make competition with other countries impossible! I am a cattle rancher and through the years I have sit by and watched the most productive agricultural county in the world be destroyed by government rules, laws and treaties. We can't compete anymore. . . the cost of labor, taxes, insurance, equipment are so high we can't produce anything as cheaply as it can be imported from other countries. As we in agriculture slowly go broke, it will just be a matter of time before the U.S. is dependent on other countries for all our food. Do we really want to start technology down that road also? We all know that Japan, China, India or some other country will grab the leadership vacuum that MSFT leaves and the good ole US will once again forfeit the world leadership position in yet another area!

What will be left in this country to make a living? Surely there can't be enough government jobs for everyone? Just look ahead. . . look down the road before making a punishment decision for MSFT or any American company. Just look at the companies over the years that our Government has attempted to punish as monopolies. Take Standard Oil. . . take Ma Bell. . . Government tinkers, imposes restrictions, punishments, etc., until either the companies go under, or the Government will give them permission to put the company together again. Look at the telephone companies, the big ones grabbing the small ones up until now there doesn't seem to be any profits for any US phone companies, but hold your hat for a foreign replacement. Look at the oil companies. . . didn't I recently read that all the Standard Oil Companies would soon be back under one Exxon-Mobile umbrella soon? "The more things change, the more they stay the same." I just don't get it? Can someone explain? So, please let the "free marketplace" work it's magic and tell us

what we like and what we don't like WITHOUT government interference.

Thanks, Polly Woodress

MTC-00013082

From: Philip Corlis
To: Microsoft ATR
Date: 1/16/02 8:28pm
Subject: Microsoft settlement

Since Microsoft was found to have violated US law, it is important to penalize them in a meaningful way. Their past history regarding legal actions suggests that any "soft" approach which involves their promise to change their business practices for a light penalty simply hasn't worked. Their corporate culture views kindness as weakness and encourages further rule bending and monopolistic corporate expansion from the top down—simply a new opportunity to quash competition and possibly keep new or better ideas from the marketplace. The only real solution is to provide a penalty scaled to their corporate wealth, a direct connection between "risky" or possibly illegal corporate decisions and meaningful and significant corporate losses.

I applaud the judge's decision not to allow Microsoft to use this legal problems as an opportunity to expand into new markets at an insignificant cost to them. Any solution to the Microsoft issue should impact them—not their competition. There is little competition left in the marketplace and the court has, and should, keep this fact in mind. The world of computing could be made better, stronger, and even less expensive for all americans if more, rather than less, competition were in the marketplace.

I encourage the court to create a cash dollar penalty scaled to Microsoft's corporate wealth—to be paid in one lump sum—with the moneys to be given the states involved in the litigation with the stipulation that the moneys be used to support technological needs of their public schools and local libraries. In this way, Microsoft will be penalized and the moneys used for the public good.

Thank you for this opportunity to provide ideas to the court as this case moves towards its conclusion.

Respectfully:
Philip Corlis

MTC-00013083

From: Sampuri@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 8:28pm
Subject: letter
2000 Beechwood Road
Hyattsville, Maryland 20783
January 16, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to inform you of my thoughts on the recent settlement between Microsoft and the Justice Department. I am happy that a settlement could be reached in the three-year antitrust case against Microsoft. This case has been going on for three years now, and must come to an end soon. Microsoft is not getting off easy like it's critics want you

to think. The company will be making numerous changes to its business practices that will restore fair competition and prevent future antitrust violations. For example, Microsoft has agreed to document and disclose various interfaces that are internal to Windows' operating system products for use by its competitors.

Also, Microsoft has agreed to allow computer makers to remove the means by which consumers access various features of Windows, such as Microsoft's Internet Explorer web browser, Windows Media Player, and Windows Messenger. Furthermore, a technical committee made up of three software engineering experts will monitor Microsoft's compliance with the settlement.

I ask that you accept this settlement, and not pursue any further action against Microsoft.

Sincerely,
Samir Puri

MTC-00013084

From: Gilles
To: Microsoft ATR
Date: 1/16/02 8:26pm
Subject: Microsoft Settlement

I can not help but be offended by the settlement in the case of Anti Trust vs Microsoft. The proposed settlement does absolutely nothing to help third party developers. First of all, let us remember that third party developers have managed to write software without the help of Microsoft for long before the anti-trust case.

Second of all, the problem that seems to be clear to the hundreds of individual creative programmers I deal with everyday, is that Microsoft has the engineering task force to look at an innovative product, duplicate it in a record time (so far no harm done), and use their marketing power but most of all, illegal (often verbal) binding agreements to dislocate the competitors product by offering their alternate solution in ways that are more than questionable.

Going back to the beginning of Windows, we find their very first illegal monopoly offense against Disk Operating System's competitor Digital Research with DR-DOS. Microsoft would force OEMs to buy their inferior MS-DOS with the argument that the OEM would have to pay more for MS-Windows alone that they would if they distributed MS-Windows bundled with MS-DOS. Then they took on Networking companies like Novell by offering Networking services such as those found in Windows for Workgroups and Windows NT. This same monopolistic approach has been clearly seen as a pattern since then in cases like their Disk Compression technology, Windows Media Player (competing with Real Networks and lots of others), Netscape Navigator (probably the most evident case of monopolistic action) and many others.

What saddens me the most, is to realize that most of today's websites can not be viewed properly unless they are visited with Microsoft's Internet Explorer. The World's Wide Web which started as an open project to allow anybody from any machine, anywhere in the world to view anybody else's web site, has now become a Microsoft

only world. By offering tools—first for free—that allowed anybody to create professional websites quickly (tools that use Microsoft proprietary extensions), Web sites that can now ONLY run on Microsoft servers and be viewed best only with Microsoft Internet Explorer have flourished at a rate so exponential that it is becoming more and more difficult to enjoy browsing the web unless one is using Microsoft tools.

As an avid defendant of a free world wide web, overseen by an open group dedicated to keep it free from vendor specific extensions, I am saddened to realize just how much Microsoft managed to turn the web into a Microsoft only monopoly.

I urge you to please reconsider the settlement offering. Forcing Microsoft to be more friendly with their competitors will not prevent them from going after these same markets. Is it necessary to remind ourselves that everything Microsoft has to offer today (including Windows itself) did exist before they made it, from the mind of some other creative individuals? I Could go into details and show you where, everything they make today, comes from and how they managed to turn all great computer inventions into a Microsoft only platform.

I personally believe that microsoft should be broken down into an OS only company and that applications such as Windows Media Player and Internet Explorer (or Netscape) should be add ons. To let them make us believe that an Operating system without these is not a complete operating system is wrong. Many people were browsing and enjoying the web in full multi-media contents and 3D Before Microsoft claimed it to be impossible unless MSIE was part of Windows.

If we allow Microsoft to go on, we will soon witness the results of the long efforts that lead to VRML (by companies such as SGI and Pixar, allowing the web to be browsed in as a virtual 3 Dimensional World) become part of MS IE turning 3D websites into another of Microsoft's only experience.

Please don't let Microsoft become the controlling force of the computer oriented world we live in.

Sincerely,
Gilles Gameiro

MTC-00013085

From: Pat Wilson
To: Microsoft ATR
Date: 1/16/02 8:31pm
Subject: Microsoft Settlement
Sirs:

I'd like to comment on the proposed settlement between the DOJ and Microsoft Corporation.

What I don't understand is, if Microsoft was found to be engaging in monopolistic practices that were against the law, how could there be no penalty for those actions? It seems that the proposed settlement would only try to keep those activities from happening in the future. (weakly) It makes us wonder whether Microsoft influence and money are tipping the scales of justice. We are saddened at the prospect of our judicial system possibly being compromised in this way.

If Microsoft has broken the law, through the book at them.

—Pat Wilson

MTC-00013086

From: Doyle Rockwell
To: Microsoft ATR
Date: 1/16/02 8:31pm
Subject: Settlement opinion
Dear Sirs:

I'm sure you have many thousands of these comments to process, so I'll be brief.

If the proposed DOJ settlement is approved, the US Government will be publicly acknowledging that a single company is more powerful than law or government. It means that a corporation will have ultimate say over its behavior and impact on us, but our government and laws, which we are supposed to trust, will not and can not protect us.

Don't throw us to the wolves. The settlement is ineffective to the point of being comical. Come up with something better. Please.

Sincerely,
Doyle Rockwell
621 S. Gramercy Pl. Apt. 502
Los Angeles, CA 90005

MTC-00013087

From: Ann Lewis
To: Microsoft ATR
Date: 1/16/02 8:39pm
Subject: Microsoft settlement
Please settle this suit against Microsoft. It's high time for us to get on with more important matters. The settlement seems to be fair enough in my opinion.

Thank you,
Ann Lewis

MTC-00013088

From: Ashley Tate
To: Microsoft ATR
Date: 1/16/02 8:37pm
Subject: Microsoft Settlement
Why don't you just stop meddling in the business sector and leave Microsoft alone?
Ashley Tate
Alpharetta, GA

MTC-00013089

From: Tim and Karen Ryan
To: Microsoft ATR
Date: 1/16/02 8:39pm
Subject: Microsoft Settlement
My husband and I strongly feel that the pending lawsuit with Microsoft is having a negative effect on the stockmarket and on the US economy in general. We urge the Department of Justice to settle with Microsoft at the earliest possible moment. We use a variety of computer software products in our daily lives and do not believe that are choices or spending options have been restricted in any way. We see this settlement as beneficial for us and for the economy.

Thank you for your consideration,
Karen and Timothy Ryan

MTC-00013090

From: Professor
To: Microsoft ATR
Date: 1/16/02 8:44pm
Subject: Microsoft Settlement
Do not let them get in to our schools, Please! Make the Pay in cash they have it, better books or better networking connections

to the schools. It would be ideal if we could net work the schools with high speed connection. Any thing other than there software.

Thank you
a Parent
Miami, FL

MTC-00013091

From: Brian J. Kim
To: Microsoft ATR
Date: 1/16/02 8:45pm
Subject: Break Up Microsoft
Hello,

I am writing as a concerned citizen. I really think that Microsoft needs to be broken up into at least 2 companies. The company that makes the OS should absolutely not be the same company that sells applications. There is just too much market control if they are all the same company. I think innovation has been stifled, and consumers lose out. Not only that, but companies that make software applications that compete with Microsoft's products are at an insurmountable disadvantage.

Thank you.
Brian J. Kim

MTC-00013092

From: William A Davis
To: Microsoft ATR
Date: 1/16/02 8:54pm
Subject: Microsoft Settlement
This needs to be settled.
Thank you

MTC-00013093

From: david randall
To: Microsoft ATR
Date: 1/16/02 8:48pm
Subject: microsoft settlement
i'm writing to express my deep concern over the proposed microsoft settlement. i firmly believe that in its existing form, this settlement isn't a penalty, it's a total gift. they get indemnity against further prosecution and all it takes is the donation of a few used PC's and a gift of software which costs them next to nothing. microsoft itself couldn't fabricate a better scenario.

if any other company controlled 95% of a global resource, there would be worldwide outcry. microsoft has been shown to have used illegal leverage to push windows into its current position of dominance. only a far-reaching and significant penalty can start to open up the markets which microsoft has spent millions to systematically close down.

for what it's worth, i believe the best course of action is a substantial monetary penalty (far in excess of \$1 billion) which must be paid directly to schools for the enhancement of their computer education programs. microsoft should not be allowed to offer any unusual discounts to encourage windows adoption. instead, schools should be free to purchase whatever hardware and software they deem appropriate. furthermore, i believe a non-partisan oversight committee should be created as a watchdog with court approved authority to investigate and remedy any actions which it deems are anticompetitive for a period not to exceed 5 years.

the sherman anti-trust laws were designed to protect consumers from exactly the kind

of predatory tactics that microsoft has demonstrated over the last few years. already, microsoft has been elevated to the status of a global utility with almost total control of all informational flow across the planet. only a dramatic and well-conceived remedy can help to undo the damage.

microsoft should not be rewarded for anti-competitive behavior. they have been proven guilty and they must feel the full weight of the law.

thank you for listening,

david r.

koffedrnkr@earthlink.net

MTC-00013094

From: Shirley Adams

To: Microsoft ATR

Date: 1/16/02 8:48pm

Subject: MICROSOFT

Why have you spent sooo much time haggling over above subject when they have offered so much help to our school children. Seems there are many, many other things you should be spending your time on, such as Our Country's Safety, More % for social security (like government workers or at least cost of living), feeding the undernourished Americans & much more.

Your fleecing of America Ex.: the railroad line in Vermont where Billions were wasted in case you did not hear Tom Brokaw's news today. Please drop this daudling & finalize with Microsoft!

Shirley Adams

7800 Mockingbird Ln. #180

No. Richland Hills, Tx.

76180-5508

MTC-00013095

From: Alan R. Houtzer

To: Microsoft ATR

Date: 1/16/02 8:49pm

Subject: Microsoft Settlement

The proposed settlement will be ineffective in deterring Microsoft from its monopolistic practices. It is apparent that either Microsoft is being granted a status above the law or the Justice Dept. is incompetent to understand that what it has done is nothing. Microsoft has repeatedly shown that it has no regard for any law or ruling that is intended to limit its predatory practices. The DOJ seems to have forgotten that MS has been found guilty, and that the task at hand is to disable the offender from continuing its offensive activities ? in the present and future. Any sentence must address all future activities by Microsoft.

I see no other way to do this effectively except to break up the monopoly. The American public sees that the DOJ has no teeth. If this is all you are going to do, then close the DOJ's doors, and save us the expense of running the ineffective Department of Justice.

MTC-00013096

From: Joseph T. Manning

To: Microsoft ATR

Date: 1/16/02 8:50pm

Subject: Microsoft Settlement

To whom it may concern,

The very idea that Microsoft is capable of doing business in a competitive fashion is flawed. Microsoft came into being on the wings of monopolist tactics. Bill Gates was born into a wealthy family, and has never

relied on Microsoft for a living. He bought the original MS-DOS operating system from acquaintances who had named it Q-DOS standing for Quick and Dirty Operating System. Once he owned it, he changed the name, and changed the help text, while making few if any substantive changes in the functional code of the operating system. He sold this quick and dirty operating system under the Microsoft label for one dollar a copy for several years, thus entrenching MS-DOS as the titan of the operating systems market. After enough years living through these narrow profit margins, he was able to bring about Microsoft Windows and began to raise his margins. Since then, Microsoft has continued to close out, buy out, bad mouth, and sabotage competitive companies to the absolute detriment of both consumers and the computer sector as a whole.

Microsoft claimed to be a technology innovator while retaining legacy MS-DOS code all the way into the Windows 98 operating system, and arguably beyond. I fail to see how twenty year old software code can be called "innovative".

In addition, you must be aware of the contempt Microsoft, its executives, and Bill Gates himself have shown toward the justice system, and toward consumers in their blatant disregard for previous legal settlements, and their tendency to buy, imitate, or steal products from competing companies.

Microsoft has been bad for consumers, bad for the computer industry, and a bad example that nonetheless is portrayed as one worthy of emulation. I strongly urge you to levy the strongest penalties allowable under the law against Microsoft in a manner that does not allow for shoddy enforcement, or slippery noncompliance.

Thank you for your time,

Joseph T. Manning

jtd3@pop.cwru.edu

2046 Jolon Rd.

Bradley, CA. 93426

(805)-472-9254

MTC-00013097

From: William Cook

To: Microsoft ATR

Date: 1/16/02 8:51pm

Subject: Microsoft Settlement

Dear DOJ,

It is time to move forward with the interest of American citizens first and foremost in mind, and I feel that the settlement is acceptable and should be instituted as soon as possible so we can get on with the job of re-building the economy and growing our businesses to provide more jobs and a broader range of jobs for the nations work force.

Thank You for Your Time.

William Cook

Cook Consulting

MTC-00013098

From: Susan Leubert

To: Microsoft ATR

Date: 1/16/02 8:53pm

Subject: Microsoft Settlement

Dear USDOJ,

I would prefer an open, fair market to the current stale Microsoft monopoly. Please do the "right" thing, bust the monopoly.

Noel

MTC-00013099

From: John Lazzaro

To: Microsoft ATR

Date: 1/16/02 8:54pm

Subject: Microsoft Settlement

Hello,

This is a public comment for the Microsoft Settlement. I believe the settlement is deficient, because it doesn't address the key impediment to competition in the Office Suite market today—the inability of competing programs to reliably read and write data files of the Office programs (.doc, .ppt, etc), because of a lack of complete, accurate documentation of these formats by Microsoft for third parties to use. I would suggest the publication of all software sources for all present and future versions of Microsoft Office and related programs, as the simplest and most reliable way to aid interoperability by competitive products, as well as a non-discriminatory, royalty-free licensing of all patents related to the reading and writing of these file formats, and to any on-the-wire network protocols that transmit these formats. Anything less than source code is insufficient, because it is in Microsoft's best interest to make any documents describing the formats be incomplete, inaccurate, and out-of-sync with currently shipping software. Note this publication in no way affects the Copyright on Microsoft Office—it merely lets competitors have a level playing field, by showing exactly how to read and write these file format types.

John Lazzaro—

Research Specialist—

CS Division—

EECS—UC Berkeley

lazzaro [at] cs [dot] berkeley [dot] edu

www.cs.berkeley.edu/lazzaro

MTC-00013100

From: BBLANK0001@aol.com@inetgw

To: Microsoft ATR

Date: 1/16/02 8:55pm

Subject: Microsoft Settlement

I'm uncomfortable when a major American corporation is about to be hog-tied or split up. Microsoft has been a major innovator in the software industry. The market has not been hurt by it's dominance. On the contrary, Microsoft's competitors are major businesses in their own rights. The benefits to leaving Microsoft intact and unrestrained are:

1. Microsoft sets the standard in the software industry.
2. It is constantly innovating and improving its products.
3. Microsoft products face competition in every facet of the industry.
4. Any settlement that harms Microsoft will damage it's employees and the industry as a whole.

I appreciate the opportunity to comment on this settlement.

Sincerely,

Bill Blankenship

Bill Blankenship, EA

MTC-00013101

From: Peter Dodge

To: Microsoft ATR

Date: 1/16/02 8:57pm

Subject: Microsoft Settlement

Dear Sirs,

I note with dismay the terms of the DOJ's settlement of the anti-trust suit against Microsoft. If Microsoft's past behavior—flaunting the terms of the consent decree originally imposed out of the earlier antitrust case—is any example, this settlement is comparable to the receipt of a slap on the wrist for the crime of assault. For there can be no doubt that Microsoft has mugged Netscape, and in turn the public, and will be free to continue its exploits.

Microsoft is a recidivist organization. Its management does not intend to loosen its stranglehold on the operating system market which gives it the leverage to ensure that competitive products do not see the light of day. At some point, Microsoft must be held accountable, its management must learn that the penalty for flaunting the law is certain to result in a terrible price which even its own swollen coffers cannot bank.

The public commonweal is ill used by the capitulating terms of this wholly inadequate settlement.

Sincerely,
Peter Dodge
Cyberspace specialist
1511 Sharon Dr.
Silver Spring, MD 20910

MTC-00013102

From: Raposo, Luis M
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/16/02 8:55pm
Subject: Microsoft Settlement

My conclusion based on what I've read concerning this case is that Microsoft has gone beyond business ethics and legal considerations in marketing their Windows based products.

Very early in the 80's, Microsoft fashioned OEM contracts that essentially excluded other competitors from acquiring any business from the same OEM's. This created a situation where customers could had limited choices in selecting what the best OS would be available in the Markets. In turn, the OEM agreements with Microsoft, was a large disincentive to the OEM to develop their own feature additions on top of Microsoft's own software. As a result, the public, corporations, and governments, had even fewer alternatives to OS features other than Microsoft's stated product plans.

Parallel to the Windows OS monopolization, Microsoft had a great advantage in introducing applications that competed with existing and successful products. The advantage was both technical, monetary, contractual. The end result is a Windows monopoly based on a Windows operating system.

MTC-00013103

From: John Berg
To: Microsoft ATR
Date: 1/16/02 9:05pm
Subject: Microsoft Settlement

Microsoft has harmed me as a consumer, and continues to harm me every day, by their arrogant flaunting of our laws. Please break up the company, so that the future harm that they can do will be limited.

MTC-00013104

From: Gardner
To: Microsoft ATR
Date: 1/16/02 9:05pm
Subject: Re: Microsoft Settlement
To DOJ:

All America waits for the litigation involving Microsoft to end. This company which has served the world so well has been punished enough by their competitors for their success. Settle now on the current terms. As a taxpayer I resent my tax dollars being spent on this long-standing suit. Although I live in the State of Washington my only connection with MSFT is using Windows software and I thank God for it every day.

Priscilla Gardner
Friday Harbor, WA

MTC-00013105

From: dgordon
To: Microsoft ATR
Date: 1/16/02 9:08pm
Subject: "Microsoft Settlement"

A few points to add to Microsoft separating themselves for other hardware/software manufacturers' is:

Microsoft wrote their own Java (programming language) to directly take away from Sun. Example: My fiancée is a realtor and when she logs onto the MLS database on our Macintosh computers, she can not get into this database. Because MLS's database is built with Microsoft's Java. Microsoft has every intention to separate itself from all other hardware/software manufacturers.

While others of the computer industry are working together trying to make a solution with the differences in software/hardware. Microsoft has 97% of the market share. If Microsoft chooses to change a technology then the public is forced to change also. Business are also forced to do this because they have no other choice but to change, due to the fact that there are no other options. The opposite can also happen. If there is a new technology and Microsoft chooses not to support it then the new technology is stifled because of Microsoft. Example: Internet Explorer is built into Microsofts' operating system. Therefore, 97% of the market is using Internet Explorer. So, if there is a better internet browser created it is unable to compete with Microsofts' internet browser since it is built into the OS and therefore free. That means a software manufacturer has to compete with something that is free.

Most of the population only see computers with Microsofts' Windows OS. then that leads to misconceptions, which then strengthens Microsofts' monopoly. My belief on how to handle this situation is not as simple as to force Microsoft to pay out dollar amounts, or give to charities. Example: Friday's rejection of the settlement would have given them more control over the market. Apple is known to have a larger market in the educational institutions. This settlement would have taken that market share away from Apple.

The monopoly of Microsoft is shown in the fear factor of the industry. When the only CEO of the industry is able to speak freely without fear of Microsoft pulling it's relationship from their business. My

suggestion is that Microsoft should not be able to have control over the standard (due to it's control over the market).

I think that Microsoft should be split into divisions. Which would be totally separate entities; one being it's software and hardware, the second being it's operating system.

I say separate Internet Explorer from Windows. As of right now you are unable to remove Internet Explorer from it's operating system.

Microsoft would be forced to make software for other operating systems other than Windows. Example: Linux, Macintosh, and any new OS's that could arise.

Make Microsoft build up a fund so that any American company that wishes to switch their Windows network to a competitor will be able to draw the money out of this fund and/or give these same companies a tax break to encourage switching.

Have Microsoft and all of the other industries leaders form an organization that vote on the direction of technology and standards. This would redirect the energy from trying to compete with Microsoft to simply competing with each others hardware/software products. It would also take Microsoft's absolute control over the population away. (commercial and residential).

I do admit that this is not a simple cut and dry question that can be answered easily. The solution may not be a perfect one but it will not effect the population drastically. Consider it only as a transitional period. One needs to realize that this computer revolution has happened within the last 7 years. It has happened quickly and before anyone could really realize what was happening. We need to find a solution to this now and not wait any longer. We will all suffer if we let this go on any longer.

The saddest part of this situation is, we don't know how bad something is until we have had something better. When there is only one entity controlling what is, how will we know what is not. . .

Thank you for giving me a chance to speak. Although, I will still ask that you take my words into consideration.

Dave Gordon
Kansas City, Mo.

MTC-00013106

From: Stephen Ludwig
To: Microsoft ATR
Date: 1/16/02 9:05pm
Subject: Microsoft settlement

Fine them at least half of their cash reserves! A two by four between the eyes is the only thing they'll understand.

Stephen M. Ludwig
sludwig@mac.com

MTC-00013107

From: Cagazzola38@cs.com@inetgw
To: Microsoft ATR
Date: 1/16/02 9:13pm
Subject: Get over It!!!

Let the market take care of it self. You complain about all the job losses at Enron, but you hurt the investors at Microsoft. Get over it!!!

MTC-00013108

From: Jean Kupferer
To: Microsoft ATR
Date: 1/16/02 9:14pm
Subject: Microsoft Settlement
Jean Kupferer
2025 Bono Road
New Albany, IN 47150-4609
January 11, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I was appalled to recently learn that the settlement between the Department of Justice and Microsoft is being even further delayed. After three years of negotiations, it seems ridiculous to not support the terms of this well thought out agreement. At this point in time, the negotiations have been so well monitored that it is foolish to place them under any further scrutiny.

Microsoft has agreed to rework marketing and licensing terms as well as to redesign versions of Windows that will better accommodate non-Microsoft software. All of this will be accomplished while being overseen by a committee to make sure that they follow proper procedure. The concessions that Microsoft has made are truly in the interest of the IT sector and in the interest of our economy. As we sit idly by and wait for the settlement to take hold, we are slipping in this highly competitive global market.

We need to support our economy by helping to support our technology industry. By reopening the litigation process, we slow down our advancement in the industry and subsequently, affect our economy. It is odd that our recession and the Microsoft litigation seem to be tied so closely together. Maybe our major companies feel that they too will be blackmailed for being successful. This case is a waste of tax dollars, it seems that the major thing that Microsoft did was not contribute enough to the major parties. Since the litigation the prices of all software has risen and the consumer has been lost in the paperwork.

Sincerely,
Jean Kupferer

MTC-00013109

From: dre@mac.com@inetgw
To: Microsoft ATR
Date: 1/16/02 9:16pm
Subject: Microsoft Settlement

Greetings,

I applaud the recent decision to deny Microsoft's proposed settlement. Aside from the fact that Microsoft needs to be held fully accountable for all that it's done, the settlement itself could have proved beneficial to Microsoft.

I am a computer professional by trade, and in my opinion, the damage Microsoft has done is so widespread and pervasive as to be difficult to ascertain. At this point, Microsoft's sheer mass affords them opportunities to simply overpower competition, and buy their way out of other problems (and into new markets). Certainly, these are luxuries that any successful company should enjoy. Not, however, if that

success is obtained through illegal acts. This has been a long investigation, and there are *more than enough* examples of Microsoft not playing fairly in this highly competitive market—everything from intentionally preventing products of competitors from working with Windows, to essentially forcing PC makers to include Windows with new PCs.

I also strongly believe that Microsoft is simply not good for the computer industry, or any other industry for that matter. It is clear that their products and services are designed chiefly to further entrench Microsoft into an ever expanding cross-section of markets. From my perspective, Microsoft's products are generally not the best to be had, and certainly not superior to the degree reflected by their market share.

In conclusion, I fully support continued investigation into relevant details of the case. The thought of Microsoft growing out of control and absorbing all business and markets in their chosen industries is a very sobering one indeed, and I am quite glad that we have the Department of Justice tasked in part with keeping things legal and fair. Thank you for your time.

Oh, and please keep a close eye on .net. I'm very worried :/

Sincerely,
Andre LaBranche

MTC-00013110

From: Hays
To: Microsoft ATR
Date: 1/16/02 9:15pm
Subject: MSFT Settlement (Please DENY)

I would like to impress upon the DOJ that the most recent settlement offer by Microsoft is completely inadequate and only stands to increase their market share in the last public or private area that they have yet to impose their anti-competitive will.

Thank you for your Time
Curt

MTC-00013111

From: Bobbie Bamford
To: Microsoft ATR
Date: 1/16/02 9:19pm
Subject: MICROSOFT SETTLEMENT

Please, Please get off Microsoft's back and settle without further litigation. The American public is very fed up with the way our leaders are "squandering" our hard-earned taxpayer dollars. THIS IS SUPPOSED TO BE "THE LAND OF OPPORTUNITY" AND MICROSOFT IS MERELY EXERCISING THAT RIGHT.

Really think you have more important issues to spend your time on like: Trying to make this nation a fair and non-terrorist place to try and live.

Bobbie Bamford

MTC-00013112

From: Smith, Torney
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/16/02 9:05pm
Subject: Microsoft Settlement
Torney Smith
303 W Viewmont Lane
Spokane, WA 99224
January 16, 2002
Attorney General John Ashcroft
US Department of Justice,

950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I am in favor of the Microsoft antitrust case settlement. Protracted litigation is never in anyone's best interest. In this case in particular, the effects of the suit are far reaching. As the regional administrator for Spokane County's public health system, we are certainly reliant on the innovative products continually produced by Microsoft. Additionally, the high cost of litigation always seems to be borne by the consumer. Finalizing this lawsuit is certainly advantageous to everyone.

From all that I have read it appears to me that the settlement agreement is fair. In the interest of resolving this case, Microsoft has agreed to very broad restrictions. Some of these restrictions cover business practices that the Court did not even find to be unlawful. I believe that it is appropriate for Microsoft to deal fairly in the marketplace, and I believe that they have. Anti trust laws applied in the technology industry need special consideration and interpretation to define fairness. In an effort to make it easier for the competition to compete with Microsoft's products, Microsoft will be making disclosures of Windows internal interfaces to the competition. They have also agreed to design Windows so that it is easier to remove features of the program and replace it with non-Windows software. In light of these sweeping affirmative obligations imposed on Microsoft, there really is no reason this agreement should not be approved. I appreciate your review of these comments, as well as your efforts to work toward a settlement in this case.

Thank you.

Sincerely,
Torney Smith

MTC-00013113

From: Rigel, Linda
To: Microsoft ATR
Date: 1/16/02 9:20pm
Subject: Microsoft Settlement
Hello:

I am just a citizen, not affiliated with any company with an interest in the Microsoft anti-trust settlement. I am a medical transcriptionist for a hospital diagnostic department.

I want to urge the Court to impose sanctions designed to break Microsoft's power in the marketplace that derives from its monopoly. In all that I've read about this case, no one has mentioned the following: Before the big build up in internet applications and the technology advancements of the late 1990s, "innovation" in that marketplace had been all but murdered by Microsoft. I remember reading articles about the fact that companies could get no investment capital if the product they were designing could in any way be made by Microsoft.

Do you remember "vaporware"? When a company Microsoft perceived as a competitor announced a new product, Microsoft would announce that they, too, were bringing out a product just like that. Investment money for the competition would dry up. Oddly enough, in many cases, Microsoft never did

make the product: hence the name vaporware. The first question a venture capitalist would ask a candidate for its money was: Is Microsoft doing this?

When the Justice Department initiated its anti-trust action against Microsoft, that is when the great innovative explosion of the late 1990s began. It would be a terrible thing to let go this vicious thing that has been, if not subdued, at least put on a leash these past few years.

Linda Rigel

MTC-00013114

From: RBray
To: Microsoft ATR
Date: 1/16/02 9:22pm
Subject: microsoft settlement

I have always felt that the Justice Department was trying Microsoft on the wrong charges. They should be tried for wrong doing the people who pay good money for software that in most cases is strewn with "BUGS", and have the nerve to charge for an update. No tech support unless you are willing to pay for it. Microsoft has been in the business of developing software, particularly operating systems for many years. You would think they could get it right for a change without having some high school drop out find flaws in it. I for one am tired of their promises that are never kept, and software that has to be fixed with third party utilities.

MTC-00013115

From: Gerald Meyer
To: Microsoft ATR
Date: 1/16/02 9:26pm
Subject: Microsoft Settlement

Advise you settle the Microsoft litigation inasmuch as an ugly trauma pervades our dear Country. Enough already. This matter is trivial compared to War and Terror. Our hearts are sick. As of 9/11, closure on the Microsoft dispute became overdue.

Libby and Jerry Meyer
San Jose, CA

MTC-00013116

From: John Kneeland
To: Microsoft ATR
Date: 1/16/02 9:27pm
Subject: Microsoft settlement

Settling with Microsoft is a dreadful mistake. Windows simply gives Microsoft too much power to wield over the software (and now, hardware, video game, TV set-top box, and Internet) industries. Microsoft recently took advantage of their Office suite monopoly and raised licensing fees for their Office suite. And American businesses had no other choice but to pay Microsoft's ransom, because Microsoft was pretty much the only game in town. Please, separate Windows from Microsoft before they "integrate" any more poorly-designed software. The American economy needs competition, and only the United States government can save it now.

John Kneeland

MTC-00013117

From: Bill Richart
To: Microsoft ATR
Date: 1/16/02 9:31pm
Subject: Microsoft Settlement Case

January 15, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

The settlement of the Microsoft antitrust case has taken too long to occur. Litigation should have never taken place from the start and the nine states that have continued lawsuits need to be suppressed. Microsoft is an extremely important asset to the tech sector in our economy. Our government should be praising the company for all it has done instead of criticizing it. As a firm believer in free enterprise, I think it is ridiculous that Microsoft must disclose its technological secrets. Have we no more respect for intellectual property? Now Microsoft must work with a handicap like no other in the history of the IT sector.

This nation needs to get past this legal mess. The settlement presents a viable solution, so I support it. It is time to get back to the business of innovation, and leave litigation behind.

Sincerely,
William Richart
2445 Sheridan Street
Williamsport, Pennsylvania 17701
cc: Senator Rick Santorum

MTC-00013118

From: Rudolph Hensley
To: Microsoft ATR
Date: 1/16/02 9:30pm
Subject: Microsoft Settlement
I support the Bush Administration and Microsoft in their desire to settle the long, lingering lawsuit.

Sincerely,
Rudolph Hensley

MTC-00013119

From: Jeremiah Blatz
To: Microsoft ATR
Date: 1/16/02 9:32pm
Subject: Microsoft Settlement

I strongly oppose the Microsoft settlement, on the grounds that it would be ineffective in preventing Microsoft's continued abuse of its monopoly. The proposed remedy in no more than a slap on the wrist. I am a Macintosh user, and I actually like Microsoft's Mac products. Many of them are the best products available for what they do. However, I cannot say the same for their PC products. None of Microsoft's PC products are nearly as good as their mac equivalents, and the Microsoft Windows operating system is consistently horrible. Furthermore, the PC products are full heavy-handed anti-competitive features that interfere with the usability of the products. Yet many of my co-workers are forced to use Microsoft Windows and Office due to network effects.

The moral of this story is clear. Microsoft can produce good software, but only if they are forced to compete, and prevented from colluding. The only way to do this is to break up the company into an operating system company and an applications company. Furthermore, as a remedial measure, Microsoft must be forced to document its file formats and data structures, in order to avoid the sort of practices that they used to kill WordPerfect.

This will force Microsoft to spend their money developing good software, not buying potential competitors, strong-arming suppliers, and drowning out potential competitors with waves of advertising.

Thank you,
Jeremiah Blatz

MTC-00013120

From: Todd Ramsell
To: Microsoft ATR
Date: 1/16/02 9:35pm
Subject: Microsoft settlement
Hello,

I'd like to add to the public comment about the Microsoft settlement. I believe Microsoft is an aggressive monopolist and the DOJ needs to pursue strong action to open up more competition in operating systems and software.

Some solutions I suggest all or in part:

1. Separating Microsoft into Operating systems and Software. This makes the most sense although I imagine this would be hard to implement in a settlement.
2. Require Microsoft to create it's entire line of software (MS Word, Excel, etc) with feature parity and compatibility on Mac OS X and Linux. This would increase and nurture use of Mac and Linux systems which are the only practical alternative to MS.
3. Force MS to sell off or license it's operating system source code to third parties to compete against MS.

4. Require MS to fund a foundation similar to the one suggested by Steve Jobs that would give poor schools the funding to buy Apple, Linux or MS products. Microsoft's original proposal was ridiculous and would have gave them an advantage in education, one area where they don't have a monopoly.

Thank you,
Todd Ramsell
214.826.8294
PO Box 720028
Dallas, TX 75372
todd@polypop.com
<http://www.polypop.com/ramsell/design>

MTC-00013121

From: FSSALIM@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 9:38pm
Subject: Microsoft settlement

I wish the government will get off the back of Bill Gates. ever since the government got involved with its litigation against microsoft, the stock market took a dive and the economy is going to hell .Please end your harassment of microsof

MTC-00013122

From: JSB
To: Microsoft ATR
Date: 1/16/02 9:37pm
Subject: Microsoft Settlement

I never cared that MSFT had a monopoly, but I hated their prices. MSFT has \$20 bil in cash. Fine them big.

MTC-00013123

From: Chris Calvert
To: Microsoft ATR
Date: 1/16/02 9:41pm
Subject: Microsoft Settlement

As a long time observer of the computer industry here are my thoughts. Microsoft is

a monopoly. They got this way by buying or intimidating their competition. Apparently they have contributed enough money to politicians to get themselves out of their current problem with the DOJ. They have lied to the courts about not being able to remove Internet Explorer from Windows and dragged their feet and hired enough lawyers that they will prevail, but justice will not have been done, just perverted.

Meanwhile it is business as usual with Microsoft, taking away the open music standard of MP3 and substituting their proprietary Window Media Player format is a perfect example of their predatory practices. Yes, a person can add the MP3 player to Windows, but in my considerable experience, less than 10% will and just like Netscape, MP3 will disappear much like Netscape and one more "standard" will be owned by Microsoft. For that matter, why is Microsoft bundling this software in Windows in the first place? It is a separate application, or will we later learn that Windows Media Player cannot be removed from Windows because it is now necessary to the operating system? Deja vu all over again.

And who at DOJ allowed Microsoft to recommend their own punishment?!!!! Wow, I want that judge if I ever get in trouble. The punishment would be for them to give away their product for free, with government sanction to a market niche currently dominated by their competition. This is absolutely insane. The companies most hurt by their monopolistic practices get slammed with the judges blessing, and then do not get compensated for it. What would I do? Make Microsoft pay all the other computer vendors compensation for loss of sales. Yep, it would be billions, but we might see Unix and Linux and Apple have a small chance to create something innovative, more secure and better for our computers than Microsofts current offerings.

Chris Calvert
2727 San Joaquin SE
Albuquerque, NM 87106

They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety.

—Benjamin Franklin

MTC-00013124

From: Robert Storey
To: Microsoft ATR
Date: 1/16/02 9:40pm
Subject: Microsoft Settlement
To Whom It May Concern:

As a US citizen and knowledgeable computer user, I would like to exercise my right to comment during the Tunney Act review period on the proposed settlement that the US Justice Department has offered to Microsoft. To put it simply, the DOJ settlement is little more than a shameful sellout that will do nothing to restrain Microsoft's monopolistic practices. I fully support the States that are continuing the court case in the hopes of attaining a far more strict settlement. The proposal that Microsoft make amends by "donating" software to schools will actually extend Microsoft's monopoly into the educational system. I strongly support the suggestion by Red Hat that Microsoft should donate hardware with

no OS installed, and allow Red Hat (and other OS vendors) to donate the operating system free so that students are exposed to more than just the Windows OS.

To mention another specific remedy I would like to see: Microsoft should be forced to open all their APIs so that programmers working with other operating systems can ensure that their products will work in a network which contains Windows OS computers. The APIs for Microsoft Office should be similarly opened. Microsoft's attempt to hijack standards and hide them behind closed APIs should no longer be tolerated.

sincerely yours,
Robert Storey

MTC-00013125

From: Kundan Ewan
To: Microsoft ATR
Date: 1/16/02 9:41pm
Subject: Microsoft Settlement

I am writing to express my support for the following judgement in the Microsoft Monopoly case. That is that Microsoft's APIs and file formats be fully standardized, documented and published. This would enable other software vendors to compete fairly benefit all concerned.

Thank you,
James Ewan
1221 Sylvia Ct
San Luis Obispo, CA
93401

MTC-00013126

From: richarddkline
To: Microsoft ATR
Date: 1/16/02 9:43pm
Subject: Microsoft Settlement

I urge you to accept the Microsoft settlement proposal as being in the best interest of the citizens of the United States. Don't let this suit continue and destroy one of the premier companies in this country. Microsoft has competed fairly and contributed to the growth of this country by creating technology we all enjoy, not to mention jobs.

Richard D. Kline

MTC-00013127

From: Abe Jellinek
To: Microsoft ATR
Date: 1/16/02 9:44pm
Subject: Microsoft Settlement

Please keep fighting the good fight! If I killed someone, I couldn't run around stabbing more people as a "convicted murderer." Why, then, can Microsoft keep making illegal business deals (see the SGI patents that were ransomed today) as a "convicted monopolist"?

Abe J

MTC-00013128

From: S.D. McMinn
To: Microsoft ATR
Date: 1/16/02 9:43pm
Subject: Microsoft Settlement

Dear Sirs:

This should have never been brought against Microsoft in the first place.

Thanks
Stanley McMinn

MTC-00013129

From: Mert Urness
To: Microsoft ATR
Date: 1/16/02 9:46pm
Subject: Microsoft Settlement

As an American consumer I wish to state that the original remedies found against Microsoft are full and sufficient and nothing further should proceed on the matter.

That surely would include the current suits being brought by the nine states!

Yours truly,
Merton L. Urness

MTC-00013130

From: Barfarq@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 9:48pm
Subject: Public comment on Microsoft Antitrust Settlement

Who continues to throw coals on the Justice Department's Anti-Trust Suit? Microsoft's two major competitors. . . not the general public! The public, in whose interest the Justice Department originally sought redress, has not been wronged. . . rather they have been helped. The investing public has suffered enough: with the decrease in Microsoft's share price and the subsequent fall of the market! Let it go. . . stop torturing this creative giant because it is so successful. Move on. . . in the interest of the public!

Barry Faquhar,
113 Skyline Drive,
Morristown, NJ 07960

MTC-00013131

From: tosh382
To: Microsoft ATR
Date: 1/16/02 9:52pm
Subject: Microsoft Settlement

Hey "My-USGovernment Justice System" . . . Please don't mess things up for us Microsoft Users . . . you'll find that Microsoft has made our lives easier (please open your mind to the daily use factor) . . . breaking Microsoft up into individual companies will have the opposite effect on the Public than what you think. Remember back when you broke up Standard Oil or AT&T . . . same result . . . don't let that happen again !!!

If you want to slap them around for strong arming their vendors . . . be my guest . . . they do deserve that !!! . . . If . . . that is a fact ???? . . . Don't listen to those other Politicians . . . Fight for Us !!

If you want an ear full . . . just call me . . . but don't mess up my life again by tearing down another Company !!! . . . and Again . . . learn from the past mistakes . . .

"We the People" are tired of bad decision making!! TRUST ME !!! . . . Listen to Us . . . Please !!!

Very Satisfied Microsoft User . . . and God Bless Our America !!!

Craig B. McIntosh
763-494-9996 H
763-572-7002 W

MTC-00013132

From: Denis H(00E9)raud
To: Microsoft ATR
Date: 1/16/02 9:54pm

Subject: Microsoft Settlement

Let's face it, this must be stopped here and now. The proposed "donation" settlement is a complete joke and I can't believe they are daring enough to propose it in the first place. They are actually trying to gain from their supposed punishment. This high rise circus is growing tiresome. The company should get more than a simple slap on the wrist, which is all they've gotten so far. It seems more and more like digital terrorism and outright mutiny of the economy. Let's start thinking about ethics a little more.

Sincerely,
Denis Hiraud

MTC-00013133

From: Administrator
To: Microsoft ATR
Date: 1/16/02 9:54pm
Subject: Notification: You are hereby. . . . Notification:

You are hereby challenged to see What the Media doesn't want you to know. The Truth about Abortion with your own eyes. at <http://www.getabortion.info> What you will never see on TV. Its not a blob of tissue. Every scientist, even those for abortion, will tell you that life begins at conception. Once the egg and sperm join there is human life.

Why won't the media show you this? They show open heart surgery, liver transplants and other operations on tv and cable. Why not an abortion?

You can watch real videos online from former abortion doctors who have performed up to 75000 abortions, hear what they have to say about abortion. Did you know that abortion is perfectly legal through all nine months of pregnancy, including the day of birth? Did you know that in most states a child under the age of 16 can get an abortion without their parents knowing? Anyone can plainly see that we are killing our own.

On September 11th 5000 people were killed. Abortion in the US alone kills over 4000 children per day that's an average of one innocent unborn human murdered every 22 seconds! An entire generation has been slaughtered. Overpopulation is a myth, back room abortions are a falsehood propagated by the money mongers of the industry.

See it for yourself.
<http://getabortion.info>

MTC-00013134

From: Kevin Losso
To: Microsoft ATR
Date: 1/16/02 9:57pm
Subject: Microsoft Settlement

As the MIS person at a mid-size firm I deal with the residue of Microsoft's illegal monopoly power on a daily basis. Sub-standard products, worthless "upgrades", and shoddy security bear with them a high cost; MS's illegal monopoly limits my options and my firm's options. Do not let them off without a strong and enforceable remedy—you will only have to deal with them again in the future.

Kevin Losso

MTC-00013135

From: A.J. Kirby Co.
To: Microsoft ATR
Date: 1/16/02 9:58pm
Subject: Microsoft settlement.

To Whom It May Concern:

I feel very helpless in a situation like this because my say would seem to count for so little yet I want to submit a coment even if it is just to say "Please bring competition to the market Microsoft has such a stranglehold on now."

Sincerely,
Richard Cooley

MTC-00013136

From: felix@crowfix.com@inetgw
To: Microsoft ATR
Date: 1/16/02 10:01pm
Subject: This proposed settlement is a disgraceful sellout

I want you to think for a minute about the PC you are probably using to read this very email. Think about all the components in it—sound card, graphics card, disk drive, memory, motherboard, CPUs, monitor, printer. Not a single one of those is produced by a monopoly. Even the CPU; odds are it comes from Intel, and even if so, Intel is not nearly the monopoly Microsoft is. Most of the apologists for Microsoft jabber on about how the Operating System has to be controlled by a single company, standards, etc etc etc. Why does not that same logic apply to the hardware itself? You'd think there would be far more reason for monopolies there, both legal and practical. Yet no one worries even a bit about who makes the monitor or graphics card, or puzzles about the mystery of how they work together.

So why have you disemboweled yourself for Microsoft? The Unix world should be proof enough that no single OS is necessary. Add in Apple. Add in the fact that Microsoft OSes are far more fragmented than any random collection of Unix OSes.

There are tons of horror stories about Microsoft stomping out competition. The few examples you brought out in the trial barely touch the surface. There are tons of stories of Microsoft barely staying within the law, and many times stepping far outside it. Did you not learn a thing from the famously fraudulent video they lied about under oath, led about from one end of their empire to the other? Have you not learned anything about Bill Gates' business ethics from the previous many court appearances and settlements? And now this crock of settlement has a toothless, indeed gunless, oversight committee. Are you so naive to expect any changes at all out of Microsoft?

Good gosh! They have \$36 billion in cash, increasing \$1.5 billion per month. They are stomping on game consoles, they are stomping on cable TV, they are stomping on handhelds, they are stomping on anybody and everybody and their dog. And the best you can come up with is a disgraceful sellout. It amazes me that you can sign your name to this garbage and not hide your face in public.

Felix Finch: scarecrow repairman & rocket surgeon / felix@crowfix.com

MTC-00013137

From: Daccus Productions
To: Microsoft ATR
Date: 1/16/02 10:01pm
Subject: I hope that all states agree to settle the Microsoft issue. I can't believe

I hope that all states agree to settle the Microsoft issue. I can't believe that a judge would keep them from giving computers to our schools so in need of educational tools. Wouldn't it be too tragic for our children and us to reap the benefits immediately rather than wait for years of legislative hocus pocus, "Oops! we spent the money on committees studying the matter. Sorry there just isn't enough to spread around to the masses now." Hopefully our elected officials will soon become more accountable to the needs of the people instead of the needs of the greedy in commerce. We need Microsoft's help with far more important security issues and inventions of the future. Let's move on elected people.

J. D.

MTC-00013138

From: Eric Dunn
To: Microsoft ATR
Date: 1/16/02 10:02pm
Subject: Microsoft Settlement

I'm a systems administrator. Currently, as of two months ago, I contract for the State Department. Before that, I worked for several web development shops, helping to create websites for the Internet, off and on for the past five years.

DO NOT LET MICROSOFT OFF THAT EASY! Give me a break. They not only get out of actually paying anything in the settlement, but they actually insinuate their products into the next generation's psyche. And then come out looking like great, beneficent doers of good by "donating" all of this free software. So instead of being penalized for crushing companies and inhibiting competition in the marketplace, they are rewarded by gaining a new generation of software buyers. Please don't let this happen.

Eric Dunn
6121 Kendra Way
Centreville, VA 20121

MTC-00013139

From: Dan
To: Microsoft ATR
Date: 1/16/02 10:04pm
Subject: "Microsoft Settlement"

I think you should at least consider actually reducing Microsoft's ability to be a monopoly. As they have a history of breaking their promises, maybe you should, for example, force the company to actually use industry standards, so that other companies can compete. Force them to reveal their APIs. Yes, it means they give up some small part of their intellectual property. But, they are a criminal monopoly, some form of punishment is a good idea.

MTC-00013140

From: Rmalapero@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 10:04pm
Subject: (no subject)

Dept. of Justice, I feel that at this time when the economy is so bad that any decision to restrict a company from expanding and creating new jobs would not be in the interest of our economy. It also could make other companies think twice about expanding. I feel that Microsoft has made a reasonable

offer and should be accepted by all parties involved.

Raymond Malapero

MTC-00013141

From: Amin Pirzadeh

To: Microsoft ATR

Date: 1/16/02 10:06pm

Subject: Comment on microsoft final judgement

To: the judges in charge of United States v. Microsoft Settlement

In my personal opinion The proposed final judgement fails to

(1) Remedy software developers who's jobs have been lost due to the Microsoft monopoly.

(2) fails a good enforcement.

(3) Fails to remedy java developers community.

To all the people who are in the field of Computer Science, it's clear that Java is the Leader in tomorrow's programming languages and

The way software will be written. However Microsoft's strategy has been to push it's own senseless Active X and .net technology and suppress the Java technology.

(4) To completely compensate consumers who have paid allot of money to upgrade their software (because of the bugs in the Microsoft's previous systems).

In my opinion the only judgment that would make sence in this case is to make microsoft to reveal it's code so other companies can make compatible Windows operating system.

Amin Pirzadeh

University Of British Columbia
CANADA

MTC-00013142

From: David Jansen

To: Microsoft ATR

Date: 1/16/02 10:14pm

Subject: Microsoft Settlement

To Whom It May Concern:

I would like to express my concern that the penalties assessed against Microsoft in the recent antitrust proceedings will not be strict enough. Any settlement that sees Microsoft unfairly increasing it's market share as "pennance" is NOT acceptable to me.

It is my opinion that the only way to keep Microsoft from unfairly "lording" its considerable market share is to break the company into at least two companies; preferably three.

1. A distinct and separate Operating System company

2. A distinct and separate Applications company

3. a distinct and separate Hardware company Separating the company this way would encourage competition across the board.

Under this plan, Microsoft would not be able to "lord" one division's technologies over it's competitors. A perfect example is that of Apple Computer's new operating system, OS X 10.1. Under the current Microsoft structure, Apple is not able to port its operating system to an Intel/AMD platform for fear of Microsoft retaliating (eg. stopping development of Microsoft Office when so doing could potentially put Apple Computer out of business.)

With each individual "Microsoft" company seeking its own profits, the applications division would be looking to expand it's marketshare by developing software for OTHER operating systems such as Linux and Unix (and any of the individual flavors of each).

The same thoughts apply to the OS division and the hardware division. Microsoft's subdivisions should not be allowed MORE access to the technology behind the operating system/applications/hardware than any other development partner.

Microsoft's recent settlement proposal was a slap in the face to everybody who has ever achieved something by dint of hard work and innovation. The 300lb gorilla should NOT be allowed to sit wherever it wants.

Thank you for your time,
David Jansen
San Jose, CA

MTC-00013143

From: Adrian Rossi

To: Microsoft ATR

Date: 1/16/02 10:18pm

Subject: Microsoft Settlement

Dear Madam,

As an IT professional, and having for many years worked in this field, I am sincerely concerned about Microsoft's monopoly position. It should be obvious at the outset that I have no doubt whatsoever that by the definition of a monopoly Microsoft is indeed an very ruthless and insidious one. My concerns are many but focus mainly on what will happen to the field of IT as a whole if MS is allowed to continue to squash competitors and enter (like a cancer) more an more software markets, in which it offers little innovation.

My first objection is an everyday one; why is it that if I buy a PC it comes installed with MS operating systems *even if I do not wish it* ? The fact is that a part of the purchase price goes to MS and I have had absolutely no choice in the matter. You could argue I could buy a PC without the OS separately; but the price of such a PC is guaranteed to be much higher. It is more affordable (by a few hundred dollars at least) to purchase a PC with MS OS pre-installed and then to wipe the drive and re-install another non-MS OS (e.g. Linux). I believe that if I as a consumer am required to buy a product which I do not want and give money to a company I do not want to then that company is a monopoly, as only a monopoly has such an ability to coerce hardware vendors into such an arrangement.

Secondly, I see an ever-increasing and very sinister, replacing of other vendors' software applications with Microsoft equivalents (case in point Real Player with Windows Media Player). This bias is bad enough but I believe it is more sinister than this- I have repeatedly and on many occasions had problems running non-MS software on MS operating systems. Performance is compromised or it simply crashes. But I never experience this with MS apps on MS systems.

There could be many reasons for this of course, but the fact remains that *any* vendor should be able to write software which works as well on MS OSes as

Microsofts does. This is the essence of the solution to this dispute; force MS to open its OS not for copying of course because it is their intellectual property, but so that other software vendors can write reliable software on top of it, and hence compete with MS on their own operating systems. This is a step in the right direction, but only the first step.

I have heard countless stories from colleagues and company executives about the hand-cuffs put on them by MS. They know that they must go with the standard, and the standard OS is Windows. But then they find that they must also use MS software—why!?!—in order to ensure that it works well on Windows. This is wrong! There should be no link between the software and the OS it executes on. But there is and this is the way MS is able to sell software which is clearly of inferior quality, or lacking in innovation, and the way that vendors with better products are shut-out of the market by this monopoly. Once again if software manufacturers could produce MS-like software which can run well on MS OSes then this might give others a chance. Of course it doesn't stop MS from 'upgrading' the OS from under them, and these companies are then forced to play catch up and support this new system (e.g. Windows XP). A company I know of could not afford to support XP, as it involves a considerable amount of effort and testing, especially after they have supported Win9x, NT and 2000. So this tactic effectively pulls the rug out from under software vendors and there is nothing they can do about it. This is another monopolistic tool at the disposal of MS.

Finally, I have seen many times the case where MS decides unilaterally to raise license fees on their OS or products. And the fact is that companies MUST pay up. There is no choice because they can not do without MW Word or MS Powerpoint or any of the other standard applications used through out the world. How do you stop this? The only way I can see is to allow vendors to build equivalents which can produce documents in these formats (e.g. Word format). Sun tried this with StarOffice but there were niggly differences between the formats and they were not able to completely match the Word formatting, so documents produced in MS Word did not look or behave the same within StarOffice, and vice-versa. Unless the behaviour is exactly the same it is useless to migrate away from MS software. Another monopolistic tactic and MS uses it well to fill their coffers with more unearned dollars. In conclusion I urge you to consider the ramifications of *not* bringing the MS monopoly to an end. The speed of the IT industry is such that within a few years left unchecked Microsoft will have total control over the industry, and not even Sun Microsystems will be able to stem the tide. If this happens my career and that of many other IT professionals will no longer be viable.

Thank you for your time.

Regards,

Adrian Rossi

Ph.D., MBCS, C.Eng.

Senior Software Designer & Developer

MTC-00013144

From: Dennis Sosnoski

To: Microsoft ATR
 Date: 1/16/02 9:20pm
 Subject: Proposed Microsoft Settlement
 Dear DOJ,

The proposed settlement with Microsoft is a remarkably bad deal for the consumers and businesses of America. It fails to address many of the current abusive practices, takes absolutely no action to prevent new types of abusive practices in the future, and is likely to be ineffective even for the practices the drafters of the settlement intended to cover.

Microsoft has never accepted that it has violated the laws, despite any number of court decisions against it. There is absolutely no reason to believe that this will change if the proposed settlement is accepted. It is far more likely that Microsoft will treat this as yet another meaningless piece of paper that placates the government, just as they did the last settlement.

The proposed settlement is far too full of loopholes and possible/plausible misinterpretations to serve any useful purpose with this type of hostile defendant. If anything, the settlement would give them a legal basis for further abusive practices in the future (such as withholding API information in the name of "security").

As someone who has worked inside the company I've witnessed the abusive practices firsthand. It will take far stronger measures than those currently proposed to correct these practices.

Sincerely,
 Dennis M. Sosnoski
 President
 Sosnoski Software Solutions, Inc.
 14618 NE 80th Pl.
 Redmond, WA 98052

MTC-00013145

From: Kevin Driscoll (Yahoo)
 To: Microsoft ATR
 Date: 1/16/02 10:21pm
 Subject: Microsoft Settlement

I'm sending this personally-written, non cut-and-paste message as my personal input on the Microsoft settlement.

It is imperative that Microsoft be held accountable for their ruthless monopolizing and their grinding of many decent software companies into dust by abuse of their monopoly power. Fines, even extravagant ones, will do nothing for a company with such an enormous daily cashflow.

One appropriate remedy is to force MS to publicly and promptly release all their APIs and their file formats so that competitors in the application software business can compete on equal ground. This would probably require some oversight entity to enforce, with jail time for executives for any noncompliance. Altho they'll probably cry about giving up some of the intellectual property, well, losing something is appropriate for a repeat offender and federally-declared monopolist.

During my 22 years in Silicon Valley I've worked for Borland and Netscape and dealt directly with MS on some of these API issues, and their unwillingness to release full APIs in a timely manner has absolutely hurt market acceptance of competing products. Both companies were nearly driven out of business by this and other abusive MS

tactics. Many good products died. Many good people lost their jobs. Many investors lost money. Consumers lost innovation and speed, and gained feature creep, product bloat, and performance degradation.

Please do not slap them on the wrist again with consent decree-type solutions, or big fines they can pay out of petty cash. Much more important than punishing them for past criminal behavior is to PREVENT THEM FROM CONTINUING to do it. Forcing them to always publish ALL Windows APIs and file formats, especially the hidden APIs they use to break competitors products—is one fair solution that you need to examine.

I'm a senior software product/project manager, and this is my professional and personal opinion. Thank you for providing the opportunity for me to provide this input. America is a great country—let's keep it that way and stop the monopolies.

best regards,
 Kevin Driscoll, Scotts Valley, California

MTC-00013146

From: OKUNMD@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 10:23pm
 Subject: microsoft settlement

This has gone on WAY to long. The settlement is fair. SETTLE this case now and let us all get on with more important things in life. Don't drag this out any longer.

MTC-00013147

From: ray shook
 To: Microsoft ATR
 Date: 1/16/02 10:30pm
 Subject: Microsoft Settlement

I sincerely believe that it is time for our justice system to consider the many, many consumers that benefit from the technology developed for Industry by Microsoft. To continue to allow lawyers to pursue their "legal extortion" is going beyond the average business man's comprehension. As a small business owner, I believe that the present condition of the stock market (and the present recession) is due entirely to our legal system which lets competitors such as Netscape use the laws of our country (and taxpayers money) to support their failing competitive positions. It was this particular government lawsuit that initiated the recession. The ENRON failure doesn't compare to losses incurred in the stock market by millions of our citizens, since the attack on Microsoft.

Microsoft has advanced the rate of progress in the US beyond imagination these past fifteen years. As individuals, and as a nation we have all benefited! Why not expect the nine States opposing Microsoft's settlement with the Justice Department to accept without compensation, so we can all devote our energies to expand and develop these new technologies for a better future for all? Let the market place decide.

Raymond Shook

MTC-00013148

From: spade3@juno.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 10:37pm
 Subject: please leave Microsoft alone.

They have done more good than any company please leave Microsoft alone. They

have done more good than any company I have ever heard of.

MTC-00013149

From: Simon Rebullida
 To: Microsoft ATR
 Date: 1/16/02 10:42pm
 Subject: Microsoft Settlement

Even though I am a windows-PC user, I hoped that Microsoft would have been slit into different companies so that more competition would have taken place, to my and other's advantage. Since this did not happen, I believe that the government would at the very least teach Microsoft a lesson. Please do not allow MS to cheat the government, industry, and the people. They are proud, dishonest, and unrepentant. They think and act as if they are POWERFUL and above the law. At the very least, do not allow them to dictate the terms of settlement—" \$1 Billion" worth of PC's and software which they will dictate, is not really "1 Billion dollars", and will hit Apple in the education market (a real irony!).

Please prove to MS that it is the government exercising justice with and for the people that will prevail.

Simon Rebullida
 1717 Euclid Ave. #11
 Berkeley, CA
 94709
 CC:simoncynthia@mac.com@inetgw

MTC-00013150

From: Adrian Malarbi
 To: Microsoft ATR
 Date: 1/16/02 10:43pm
 Subject: Re: MacNN: The Macintosh News Network

Ban MS\$ from being able to have their OS pre-installed on new pc's. Judge, back in the early days of computing we had choices, we had, Apple, Amiga, Atari ST, Amstrad etc, MS\$ then ripped off Macintosh and found a loop hole to sell its OS thus using illegal tactics to control the clone pc market.

Lets get back to the stage when we had more than 3 choices for an OS, face it judge MS\$ having had 8 years of pc to itself hasn't really advanced, they just wait for the little guy to innovate and take the risk, if they succeed then MS\$ rips off their idea and makes it hard for anyone to install that original application.

This is harmful to competition and one day will be the computer industries downfall.

Be the Judge that made computing fair again!

It was smart that u listened to Steve Jobs about the education market. Adrian.

MTC-00013151

From: EthelGee@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/16/02 10:48pm
 Subject: microsoft settlement

please vote for settlement of the microsoft suit. This will benefit the consumer more than further litigation.

ethel gardner
 175 e 74 st.
 new york,ny.

MTC-00013152

From: Shawn O'Laughlin

To: Microsoft ATR
Date: 1/16/02 10:50pm
Subject: Microsoft Settlement

Ladies & Gentlemen:
I would like to know when Microsoft is going to actually be punished for its predatory, coercive, and monopolistic practices. Microsoft has already been found "guilty" by the government on two occasions, given a hand-slap, and then it immediately returned to business as usual after promising to mend its ways. I think that very large fines (hundreds of millions of dollars) AND breaking up the company are the only sensible remedies. A complete split between the OS and Applications arms of the company is the only way to have a chance of stopping Microsoft from stifling competition and foisting over-priced, buggy software on consumers. Please. . . do your job and make the computer business a truly level and competitive playing field. Thank you.

Shawn O'Laughlin
830 12th Street North
Breckenridge, MN 56520
solaughlin@702com.net

MTC-00013153

From: BARB HILDEBRANDT
To: Microsoft ATR
Date: 1/16/02 10:50pm
Subject: Microsoft Settlement
CC: tormist@ag.state.ia.us@inetgw
January 15, 2002
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street, NW
Suite 1200
Washington, DC 20530-0001

To Whom It May Concern:

I hope that you will reconsider the decision to settle the United States Department of Justice antitrust lawsuit against Microsoft Corporation. American consumers may have been overcharged \$20 billion by the Microsoft monopoly. Your agreement with Bill Gates' company does nothing to neither rectify past sins by this company nor protect against future gauging. As you know, at least ten consumer groups disagree with your agreement to settle. Microsoft has little incentive to change any of its practices. Their concessions of handing over some operating systems code and offering manufacturers some sovereignty over Media Player amounts to little more than a light slap on the wrists for a multi-billion dollar company.

I am proud that my state's Attorney General, Tom Miller, rejected this Microsoft agreement. I believe that Mr. Miller and the other eight state attorneys general see the many loopholes and problems with enforcement that does little to affect change in the computer software industry. Splitting Microsoft into two or three companies may not be the proper response, but neither is this.

Your decision to prematurely end litigation against Microsoft is a mistake. The agreement offers no real incentive to stop monopolistic, anti-trust efforts. It won't help much smaller companies compete and it doesn't serve the American consumer. Please continue to go

after Microsoft. It is a duty of the Justice Department to protect the average citizen from companies that have grown too large and too powerful by questionable business practices.

Sincerely,
Ben Hildebrandt
2607 SW Emma
Des Moines, Iowa 50321
CC: Iowa Attorney General

MTC-00013154

From: JOSEPH MANLEY
To: Microsoft ATR
Date: 1/16/02 10:57pm
Subject: microsoft settlement

I urge the courts to settle the Microsoft case as quickly as possible. Continuing litigation can on damage the American economy. I believe the settlement being proposed is a reasonable solution to this case. It is time for all the parties to act like adults and quit trying to garner votes or further their careers.

MTC-00013155

From: coolfr3ak
To: Microsoft ATR
Date: 1/16/02 11:03pm
Subject: Microsoft Settlement

To whom it may concern; Microsoft has severe power problems. They want to standardise the whole world, with the Microsoft Standard. This includes the way you listen to your music, the way you check your email, the way people play games. In an ecosystem, where no diversity exists, it is common knowledge that the ecosystem will fail because of the limited tolerance of that system. Any introduction of diversity will strengthen the ecosystem, but to the detriment of the previous conformity.

Thus, diversities such as linux, opengl, macos all strengthen the world economic system but loosen Microsofts control on its abilities to make illegal monopolistic money. But with the illegal money Microsoft has made it can afford to crush all diversities and maintain a non-diverse system, where they can change the system with out opposition to generate as much money as they require to crush the next diversity that tries to enter their 'pond'.

Microsoft is consumer. It is consuming your rights. My rights. It will crush everything until soon all you can buy is Microsoft Ferarri and Microsoft Eggs and Microsoft Government. It needs to be stopped. It needs to be stripped of its illegal money. If not—do you think that wood you use to build your house will be from a non-microsoft mill? And you might think that I am being absurd. Crazy. You probably think I am mad. But, while Microsoft has the power, and while there is a profit to be made, Microsoft will extend its reach to whatever it deems as profitable, be it web servers, operating systems, and crushing diversity. You know how Microsoft needs to be delt with. They need to be stripped of their ability to maintain a monopoly. As soon as you allow diversity into the system, and deny Microsoft of the ability to crush this diversity, and force the system to create open standards of exchange and communication, the system will grow and expand more than it ever could have without diversity.

Your current settlement does do this to a certain extent, but not fully, as is required. Microsoft needs to be crushed as it has crushed others. Microsoft should be forced to pay compensation to companies such as Netscape that allow these companies to become fully competitive with Microsoft products.

And this is only one step that is required to restore partially the current state of the system if Microsoft did not engage in illegal and monopolistic behaviour. I hope that you have the strength to create a final settlement that changes the world for the better.

MTC-00013156

From: Ian R. Colle
To: Microsoft ATR
Date: 1/16/02 11:04pm
Subject: Microsoft Settlement

I am terribly disappointed by the Microsoft proposed settlement. I believe that it is very clear that Microsoft engaged in monopolistic and predatory behavior. It's punishment should be nothing less than being split up. Look at what the split up of AT&T did for the telecom industry! Unfettered by its monopolistic practices that industry flourished throughout the next two decades. The same could happen to the computing industry should the DOJ have the courage to act appropriately.

Thank you for your time in this matter,
Ian R. Colle
401 Holland Lane #809
Alexandria, VA 22314

MTC-00013157

From: rstern77@aol.com@inetgw
To: Microsoft ATR
Date: 1/16/02 11:07pm
Subject: give back to the community

for every license sold, give 5\$ to the state of Israel. promote emigrating the palstinians to europe, especially germany give every american child who enters sixrh grade a home computer, with a different language software translate the old testament to chinese develop an IM message system, and give aol a run for their money or invest in aol and close down CNN. give every american 18 yo, hs graduate year old a two week trip to the holy land.

MTC-00013158

From: Gary Piland
To: Microsoft ATR
Date: 1/16/02 11:08pm
Subject: Microsoft Settlement

Be advised that unless and until you stop Microsoft's monopolistic behavior, America's software industry will tragically follow our automotive industry into mediocrity and decline. It's not too late to change this settlement to limit Microsoft's aggressive and predatory tactics. You must break the Operating Systems business apart from their Applications business before no other software company remains—and there are few enough now—to compete.

Monopolies are bad for competition and bad for America. The American public will be watching and remembering your actions very closely.

Thank you for your time,
Gary Piland

MTC-00013159

From: npswent
 To: Microsoft ATR
 Date: 1/16/02 11:12pm
 Subject: Microsoft Settlement

Conclude this case as has been agreed. You are wasting taxpayer money, and continuing to hurt the economy. Let's get on with business as normal, and let technology continue to grow to benefit the consumer as it has in the past.

Norm Swent
 Bellevue, WA

MTC-00013160

From: cadet
 To: Microsoft ATR
 Date: 1/16/02 11:16pm
 Subject: Microsoft Settlement

Please do not let this impudent company bully others in the computer industry. They should be fined, and the cash should be available to impoverished schools to make whatever purchases they feel is needed.

Thank You.
 Christian Manasse.

MTC-00013161

From: Richard Zegarar
 To: Microsoft ATR
 Date: 1/16/02 11:17pm
 Subject: Microsoft Settlement

Microsoft should have to give a monetary penalty to underprivileged schools. This may be cash or it may be competitor's computers or products. It should not be their own products. Otherwise, this would be "forcing" them to enlarge their market share at the expense of their small competitors. I thought the whole point of the initial legal action was to open up the market place to fair competition and halt or decrease Microsoft's predatory ways. This unfortunately will probably do nothing to actually hurt their de facto monopoly as they have approximately \$36 billion in cash and short term securities.

Richard Zegarar.

MTC-00013162

From: Dan Lozer
 To: Microsoft ATR
 Date: 1/16/02 11:22pm
 Subject: settlement comments

On this issue I'm a plain John Doe. I know neither software nor the monopoly laws well enough to comment on the technical merits. Nor do I begrudge Bill Gates & Co. their money.

I will only relate what I have observed as an amateur web user:

1. my e-mail accounts via msn are often spammed and other ads for stuff I don't want end up on my computer. (Right now the bottom of the screen tells me that the world's largest casino ad will flash upon my sign out. Don't want, don't need, resent.) My Yahoo account stays clean, and it doesn't leave anything behind after I sign out of it.

2. As user of church-donation computers, I am now on my second PC (if that's the word) and my first Mac. All are noncurrent versions. The Mac is superior for my needs, but is threatened by low market share. It is legitimate to say that Windows 95 is what Mac did earlier.

Limited information. I don't begrudge Microsoft the money, but there is a need to boost its competition.

Dan Lozer
 Elk Point, SD 57025
 605-356-3067

MTC-00013163

From: Joe Cabrera
 To: Microsoft ATR
 Date: 1/16/02 11:32pm
 Subject: Microsoft Settlement

The fairest resolution would be:

1. Donate \$1 billion in cash for schools, to be earmarked for equipment and software in direct competition to Microsoft (Mac OS, Linux, UNIX)
2. All older Microsoft operating systems from Windows 95 up should be fully supported by them for at least 5 more years.
3. They should not be permitted to buy any other companies for 5 years.
4. They must make their proprietary formats for all their Office products (Word, Excel, Powerpoint) fully open so that other companies may make competing products for less.

5. Any and all contracts Microsoft has made with other companies which involve "exclusivity" in Microsoft's favor should be null and void, with Microsoft's end still intact if it involves them making any kind of payment.

Thank you for your time—I have the utmost confidence that you will take the fairest action.

Joe Cabrera
 joecab@earthlink.net

MTC-00013164

From: bernardy@uclink4.
 berkeley.edu@inetgw
 To: Microsoft ATR
 Date: 1/16/02 11:35pm
 Subject: Microsoft Settlement
 To Whom It May Concern:

I have two brief suggestion as to what the settlement with Microsoft should accomplish.

(1) Microsoft should not be allowed to strengthen themselves through the settlement by offering a package of Microsoft products as part of the settlement. Specifically, they should be forbidden to give Microsoft Office and the Windows operating system to the country's poorest educational institutions. Instead, they should either provide cash directly or buy competing software and hardware for the schools.

(2) Microsoft should be open their operating system's source to an independent third-party containing operating software engineers from various competing software companies who swear to an oath of secrecy. This allows, on one hand, the protection of the intellectual right of Microsoft while, on the other hand, the independent third-party can force Microsoft to truly open up their API and can divulge to the public any APIs that Microsoft tries to hide from their competitors.

Regards,
 Bernard Yen

MTC-00013165

From: Jedidiah I. Sorokin-Altmann
 To: Microsoft ATR

Date: 1/16/02 11:35pm
 Subject: Microsoft Settlement

Dear Attorney General Ashcroft,
 I am greatly distressed with some of the proposed settlement ideas that I have heard in the media.

Microsoft has broken every anti-trust law and FLAUNTED doing so. When they were asked to remove Internet Explorer from Windows 95, they acted like a three-year-old throwing a tantrum-claiming that they couldn't remove Internet Explorer without making things stop working. That's like telling a kid that he can't have chocolate before dinner and having the kid go on a hunger strike.

What is necessary is a method that will allow software vendors to fairly compete with Microsoft. Now something like this won't be easy—Microsoft is a behemoth. One that has no qualms about running things (and people) over to get its own way. What, then, can be done?

Microsoft's file formats and application programming interface (API) must be documented, published, and standardized. The plan which the judge recently rejected would not do this, rather, Microsoft would have essentially have been left alone to continue business as usual for it. That is not the way.

Microsoft has violated the law, and it the duty of the government to stop it.

Sincerely,
 Jedidiah Sorokin-Altmann
 Dartmouth College Class of 2005

MTC-00013166

From: Tom—McIntosh@telus.net@inetgw
 To: Microsoft ATR
 Date: 1/16/02 11:38pm
 Subject: Microsoft

Microsoft should be prevented from monopolizing the computing industry with their inferior software. If it was not for the IBM name that was attached to PCs, Microsoft would have not had the public following they acquired. They have connived their way into a dictatorial position in the industry. Steps need to be taken to give innovative new companies rewards for doing things better.

Using MS products wastes more productive time than needed. Users spend too much time trying to produce work on very poorly designed software products that are totally non-intuitive. Support staff spend far too much time fixing and working around problems that should have been fixed by now.

Companies spend far too much money upgrading software too what MS dictates then never using 80% of the functionality. The economy will be better off when better products are developed and marketed without being swallowed or beat down by MS marketing.

Tom McIntosh

MTC-00013168

From: Justice Gustine
 To: Microsoft ATR
 Date: 1/16/02 11:48pm
 Subject: Re: We need YOU to make your comments on Microsoft
 "Donald Steiny" <d.steiny@worldnet.att.net> wrote:

Microsoft has successfully argued that consumers love them because there has been no public complaints. If you have comments on the proposed remedies please let the DOJ know by Jan 28. You are sending your comments to the US Department of Justice. Email: microsoft.atr@usdoj.gov, type "Microsoft settlement" in the subject line. You may fax as well: 1-202-307-1454 or 1-202-616-9937

Please send this info off to others. It will help us have more choices in the future.

Don Steiny

MTC-00013169

From: RBell96630@aol.com@inetgw

To: Microsoft ATR

Date: 1/16/02 11:50pm

Subject: Microsoft Settlement

Drop your suit and let this company pursue its business interests in peace.

Robert Bell

Clarksville, TN

(w) 270-798-2099

(h) 931-647-9606

MTC-00013170

From: Michael Krist

To: Microsoft ATR

Date: 1/16/02 11:51pm

Subject: Microsoft Settlement

This is the second time I have written to my government regarding this case. I do not support further action against Microsoft. I feel that the company has never harmed me as a consumer and that the unbalanced business practices of MS have been addressed in the current settlement.

I believe further action against MS will only harm the consumer and our economy. spend your time and energy going after "real" bad guys.

Michael Krist

MTC-00013171

From: BUFFIP@aol.com@inetgw

To: Microsoft ATR

Date: 1/16/02 11:59pm

Subject: Microsoft Settlement

Despite obnoxious marketing tactics, Microsoft is no monopoly and any open-minded person can see it.

Like it or not, Bill Gates and Microsoft, in looking to make themselves ever wealthier, have done more good for the country and humanity than all the government officials that ever lived. If the settlement suits Microsoft, it suits me.

Scott E. Davison

Burkburnett, TX

buffip@aol.com

MTC-00013172

From: Sue Sanford

To: Microsoft ATR

Date: 1/17/02 12:01am

Subject: Microsoft Settlement

To Whom it May Concern:

In the matter of the Microsoft settlement, I am submitting my comments for consideration. I strongly advocate for acceptance of the proposed settlement agreement by all parties involved. The provisions of the agreement are tough, reasonable, fair to all parties involved, and go beyond the findings of the Court of Appeals ruling. I believe that the settlement of this

case is important for the American economy and that drawing this case out any further will do nothing to support consumers or our country and in fact may cause additional damage. I urge the acceptance of this settlement by the DOJ and all states involved in the litigation.

Sincerely,

Sue Sanford

MTC-00013173

From: paneomaha@netzero.net@inetgw

To: Microsoft ATR

Date: 1/17/02 12:03am

Subject: Microsoft Settlement

2318 S 147th Street

Omaha, Nebraska 68144

January 16, 2002

Attorney General John Ashcroft

US Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Mr. Ashcroft:

I support bringing the Microsoft antitrust case to a conclusion. Accordingly, I submit the following comments for your review.

The terms of the settlement agreement are more than fair. Microsoft will be making it much easier for its competitors to compete. For example, Microsoft will design future versions of Windows with mechanisms to make it easier for consumers to install non-Microsoft software on their computers.

Microsoft has also agreed to not to take action against computer manufacturers who promote non-Microsoft software, and has agreed not to enforce rights it may have to go after those who infringe on Microsoft's intellectual property rights.

These types of concessions exceed what should be expected of Microsoft. Please see to it that this settlement is approved in an expedient manner.

Thank you.

Sincerely,

Fred Pane

MTC-00013174

From: MortEfron@aol.com@inetgw

To: Microsoft ATR

Date: 1/17/02 12:05am

Subject: Microsoft Settlement

Enough already!!! It is ridiculous the amount of tax dollars being spent on this case, as well as the legal costs to Microsoft, which will eventually be borne by the consumer. Instead of the benefits from all the innovations we have experienced through the years at affordable prices, Microsoft has been forced to spend millions of dollars that could have been used for further innovations in addition to the time taken away from the business of new & better developments.

Stop this mindless litigation once & for all!! Reasonable settlements have been offered. What is wrong with our judiciary that they can't force a reasonable settlement. As usual, taxpayers & consumers will bear the brunt of all this in the end.

Morton L. Efron

5246 Hohman Ave.

Hammond, Indiana 46320

MTC-00013175

From: hopkins70

To: Microsoft ATR

Date: 1/17/02 12:06am

Subject: microsoft Settlement

149 Hopkins Street

Reading, Massachusetts 01867

January 11, 2002

Attorney General John Ashcroft

US Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Mr. Ashcroft:

I want to take this opportunity to give my opinion on the settlement recently reached between Microsoft and the Department of Justice. I feel the settlement is a good development at this point and will be good for the millions of consumers around the country who use Microsoft products. The comprehensive agreement requires significant adjustments in Microsoft's business practices going forward. As an example, Microsoft has agreed that if a third party's exercise of any options provided for by the settlement would infringe any Microsoft intellectual property right, Microsoft will provide the third party with a license to the necessary intellectual property on reasonable and non-discriminatory terms. And to assure compliance with the terms of the agreement, Microsoft agreed to the formation of a Technical Committee that will monitor Microsoft's actions. Truly, there are no winners if this litigation continues. But getting this settlement finalized will allow Microsoft to focus on new variations of the products that have been very good for many years. Also, the government can focus their resources on more urgent matters.

P.S. I trust your judgement in this matter.

Sincerely,

Ann Moberger

MTC-00013176

From: Jonathan Michael

To: Microsoft ATR

Date: 1/17/02 12:10am

Subject: Slap on the hand!

Microsoft should not be let off easily because

1. They violated business ethics repeatedly with their unfair practices.

2. Their just dessert should be the break up of the company into separate divisions.

3. Giving free software will not do as it only helps them get more clients rather than disciplining them.

4. Microsoft is all about control and no one can control them unless the US govt steps in and does it.

Jonathan Michael

32514 Oriole Crescent,

Abbotsford, BC

V2T 4E2, Canada

Hm. Tel: (604)-852-9447

Wk Tel: (604)-852-4746

Wk. Fax: (604)-852-0333

email: jmichael@shaw.ca

MTC-00013177

From: Sue Sanford at Edvita Corporation

To: Microsoft ATR

Date: 1/17/02 12:15am

Subject: Microsoft Settlement

I am writing to add my comments for consideration in the matter of the Microsoft settlement. I believe that the settlement of this case is important for the American economy and that drawing this case out any

further will do nothing to support consumers or our country and in fact may cause additional damage. I strongly advocate for acceptance of the proposed settlement agreement by all parties involved. The provisions of the agreement are tough, reasonable, fair to all parties involved, and go beyond the findings of Court of Appeals ruling. I urge the acceptance of this settlement by the DOJ and all states involved in the litigation.

Respectfully,
Sue Sanford

MTC-00013178

From: tutenkanem@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 12:17am
Subject: microsoft settlement

This case was stupid from the outset. It serves no public policy purpose that I have ever been able to determine and its managed to wreck the tech industry. Please walk away now.

Jeffrey Collins
Stillwater, Oklahoma

MTC-00013179

From: Eric Blair
To: Microsoft ATR
Date: 1/17/02 12:22am
Subject: Microsoft Settlement

I would just like to say that this settlement is an utter sham. As a result of Microsoft's monopoly, the quality of their products do not matter. They either bundle the product with Windows or claim that potential competitor's products might not work with Windows. The states that rejected the proposed settlement have the correct idea—Microsoft should not get away with simply a slap on the wrist.

Eric Blair

MTC-00013180

From: conrad quagliaroli
To: Microsoft ATR
Date: 1/17/02 12:26am
Subject: Justice Dept should stop hindering microsoft.

TO: WHOM IT MAY CONCERN:

I believe the anti-business atmosphere at the justice department during the Clinton years should end.

Sincerely,
conrad Quagliaroli,
Woodstock, GA 30189

MTC-00013181

From: Jim Gigliotti
To: Microsoft ATR
Date: 1/17/02 12:28am
Subject: Microsoft Settlement

Whatever settlement is reached between the government and Microsoft, it should definitely not include any agreement allowing Microsoft to provide products or services to schools or other organizations as was alluded to in numerous press releases. That would be a reward, not a punishment. Any fines or charges levied against them should be structured in such a way that the company does not profit from the levy. The fact that they would be so arrogant as to suggest that "donating" software as a remedy to their crime, serves to demonstrate further that they still do not comprehend the reason

that they are where they are in the first place. I feel that it is very dangerous to allow them to walk away from this proceeding without subjecting them to regulations or controls which will significantly limit their capability to overwhelm the competition simply by virtue of their enormous wealth and proprietary stranglehold.

Thank you,
Jim Gigliotti
720 Bushkill ST
Easton, PA 18042

MTC-00013182

From: Richard
To: Microsoft ATR
Date: 1/17/02 12:30am
Subject: Microsoft Settlement

Microsoft adversely effected computer technology innovation, value and access throughout the market. Here lies the focus of a suitable settlement—to remedy the damage they have done over the last decade. Remedies to reverse Microsoft's tendency in the marketplace of squashing competitors by customer manipulation and designing OS's with code not completely available to competing software designers is a good place to start. Thus, FULL disclosure of their OS code will help reverse their abuses in the past.

Damages should also be rewarded to companies Microsoft has hurt and, in light of the many small companies they have destroyed, an independently administered grant fund should be established to promote innovation in small upstart software/hardware computer companies.

Richard Pate

MTC-00013183

From: Khai Lu
To: Microsoft ATR
Date: 1/17/02 12:30am
Subject: microsoft Antitrust

I am a 5th year UCLA student and i believe the best solution to this case is for Microsoft to donate the amount in damages to an independent charity. Microsoft should have no power or influence, direct or indirect, on how that money is used. Rather, the independent charity will take care in distributing that money to schools that need it. The money, of course, should be used on technology, with no special pricing for microsoft products or its partners. This will allow Microsoft and it's competition to fairly bid for the technology to provide to schools.

Khai Lu

MTC-00013184

From: Abdulla Kamar
To: Microsoft ATR
Date: 1/17/02 12:35am
Subject: Microsoft Settlement

I believe microsoft's purchase of patents from sgi and there creation of c# as a retaliation to java are tactics used to extend their monopoly, the former used to pressure hardware vendors into supporting there direct3d api instead of opengl, and the latter as to stop programmers from migrating to other platforms not supported by microsoft.

MTC-00013185

From: Fernando Silva
To: Microsoft ATR

Date: 1/17/02 12:37am
Subject: Microsoft Censures

I've been following tech news and the tech community for the last five years. It doesn't take a professional law degree to see what Microsoft has been doing, and where they're going next. The computer industry is set to merge with communications, home appliances. health, life, and everyday living. And the justice department is about to slap the hands of the most influential, if not all controlling power of this relm in his world.

Now is the time to act while we still have the political where-with-all to manage such retribution. If the US government, the power that was able to land a man on the moon without the aid of "all mighty" Microsoft folds now, there is no telling what forces will control the destiny of our world. One thing for certain, it will not be the free will of its people—not that it's been that 'til now, but it is still a dream.

Please do not let the American tax payers down. Big Business may pull the strings, but we pay your salaries.

An interested voter,
Fernando C. Silva

MTC-00013186

From: Bev
To: Microsoft ATR
Date: 1/17/02 12:38am
Subject: Microsoft Settlement

I am a great fan of Microsoft and think the computer world would be in chaos without windows. I hope that you will soon settle things in a fair way and let microsoft get busy making even better products for me to enjoy. I have never bought from another company that has provided me with a better product.

They all seem to have many more problems than microsoft. So let us get on with quality and stop the petty stuff.

THanks
Beverly Evans Messer
124 Union Street
Belfast, Maine 04915

MTC-00013187

From: Charlie Olsen
To: Microsoft ATR
Date: 1/17/02 12:33am
Subject: Microsoft Settlement

Please consider my following comments and opinions on the proposed Microsoft settlement:

It is way past time to end this ridiculous politically motivated attack on Microsoft. It has needlessly cost small investors like myself tens of thousands of dollars and has cost the loss of tens of thousands of jobs in the high tech industry. This case was brought by inferior competitors who cannot compete by producing a better product. Let the free market system and not the politically motivated courts be the judge.

I feel the proposed settlement is more than adequate. If Microsoft is willing to have the cost of this settlement extorted from them by courts to get this case behind them, then it is time to do it.

The case should actually be totally dropped and all costs of defending itself against this should be reimbursed to Microsoft. These wasted costs should be recouped from companies like AOL Time

Warner, Novel, WordPerfect, Oracle, Sun Microsystems and other competitors who thought they could illegitimately enrich themselves by attacking Microsoft through the political process. The costs should also be recouped from states like Utah who allowed themselves to be used and abused by companies like Novell that reside in their state

Thank you,
Charles Olsen
4624 West Oberlin Place
Denver, Colorado
cfolson@starband.net

MTC-00013188

From: Daniel Downey
To: Microsoft ATR
Date: 1/17/02 12:47am
Subject: Microsoft settlement
Sirs:

I endorse the current proposal by the presiding judge: Microsoft pays a cash settlement of a billion dollars, which is distributed among public educational institutions. Needy public elementary, middle, and high schools are suitable.

In keeping with the antimonopolistic philosophy of the judge, the schools would be free to purchase computers and software that are in alignment with their current or planned Information Technology business plan, not Microsoft's. This might be Intel / Windows products, or it might be Apple Macintosh products; the choice is up to the schools.

Microsoft's proposal of distribution of software and used computers simply allows them yet another inroad toward a new monopoly in the education market. What's worse is that donated aging computers will carry a hidden extra expense of maintenance and upgrades (Microsoft's, of course), which school districts are often ill-equipped to support.

Finally, placing a retail dollar value on a Windows CD-ROM and calling it a dollar-equivalent contribution to an intended punitive settlement is wrong. Microsoft can stamp out millions of their product discs for negligible extra expense. Microsoft has already been paid for the development costs of their product. The value of that CD-ROM is measured in cents, not dollars. Make them pay in cash please!

In a perfect world, Microsoft would also be compelled to publish and standardize the entire set of APIs (application programming interfaces) for the whole Windows OS family (95,98, NT, ME, XP), thus levelling the playing field for competing programmers.

Thank you
Dan Downey, MD
ddowney@u.washington.edu

MTC-00013189

From: Henrimae@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 12:52am
Subject: microsoft settlement

The suit should never have been begun, and at this point any settlement is a good one if only to stop the verbiage that has been cluttering the press these several years, and allowing everyone to get back to work.

henrietta fankhauser,
309 north "L" st,
livermore ca

MTC-00013190

From: C Jeffery Woodbury
To: Microsoft ATR
Date: 1/17/02 12:54am
Subject: Microsoft Settlement
To whom it may concern:

I am writing to provide some public input into the proposed antitrust settlement for Microsoft. I understand that one remedy currently under consideration would be to allow Microsoft to make a donation of computers running Microsoft Windows operating system, as well as a variety of Microsoft software packages, to certain "underprivileged" school systems. It must be quite obvious to all concerned, however, that in the long run this proposal would only serve to benefit Microsoft greatly and more importantly, would augment, not hinder, their monopoly by facilitating their expansion into the education market! What is quite obvious is that if Microsoft is forced to contribute technology to needy school systems, that technology should not be based on Microsoft products, but instead on a competitor's product. Thus, either Microsoft be obligated to provide a CASH donation, allowing educators to CHOOSE their platform of choice, or they be obligated to make a donation of a competitor's (e.g., Apple Computer) product, NOT THEIR OWN.

It is my hope that you will recognize the gravity of this proposed settlement, and afford this suggestion serious consideration.

Sincerely,
Dr. C. Jeffery Woodbury
Dept of Neurobiology
University of Pittsburgh School of Medicine
3500 Terrace St.
Pittsburgh, PA 15261

MTC-00013191

From: Chris Richardson
To: Microsoft ATR
Date: 1/17/02 12:57am
Subject: Microsoft Settlement
Dear Sir or Madam,

Here are my brief comments regarding the Microsoft Settlement. PLEASE. . . let there be no slap on the wrist this time around. Microsoft's strangle-hold on the market does little to enhance computing for the consumer. I want a choice.

Thanks goodness they were not allowed to stomp down Apple in the education market as well.

I have hope that Microsoft will face justice eventually, despite all the money and power they have at their disposal.

Thanks for taking time to review my comments.

Best Regards,
Chris Richardson
IT Manager
Dragon Claw Games

MTC-00013192

From: Helen H Cowan
To: Microsoft ATR
Date: 1/17/02 1:07am
Subject: Microsoft Settlement

I feel it is extremely urgent and important for American consumers and the for American economy that the microsoft case be settled without further delay.

Microsoft was a leader of the "good times" The litigation against Microsoft started this long recession. Please settle so that the economy can get rolling again.

Sincerely,
Helen H. Cowan

MTC-00013193

From: BURLEY
To: Microsoft ATR
Date: 1/17/02 1:09am
Subject: settlement vs litigation

I am for settlement rather than further litigation. My question is, "WHY should Microsoft suffer any further for building a better mousetrap?" What is the restaint of trade in this case? Microsoft has greatly 'benefited' the consumer.

MTC-00013194

From: r(u)hodg Hodgson
To: Microsoft ATR
Date: 1/17/02 1:14am
Subject: Microsoft Settlement

To the DOJ in my opinion the turning down of the Microsoft offer was very wrong. Some four thousand schools would have binifited from there offer. Some of the schools in fact all lack the money to supply a lot of the equipment that they were offering. It is begining to sound more like a vendetta than an anti trust suit. This is my opinion. Thank you for your time.

Yours;
Robert Hodgson;

MTC-00013195

From: richardlaughlin@webtv.net@inetgw
To: Microsoft ATR
Date: 1/17/02 1:19am
Subject: Microsoft Settlement

Dear DOJ,

See the economy failing. See the stock market falling. See Ford layng off 35,000 employees. See K-Mart about to close. See one of our finest and most creative companies; namely, Microsoft— being brought down by a legal system abused by trial lawyers. Judge Jackson was unfair to Microsoft. In this country the drumbeat to bring down our most successful goes on and on.

Thank you for your interest.
Richard Stouts

MTC-00013196

From: Marilee Wick
To: Microsoft ATR
Date: 1/17/02 1:20am
Subject: No subject was specified.

Microsoft should be required to provide full and complete disclosure on all programming interface as soon as they are created. This disclosure should also be maintained through the developement of the programming interface. Any, and I mean any, breaking of this policy should entail the immediate breakup of the company into two pieces, the OS piece, and applications piece.

Another idea would be to require Microsoft to "open source" Windows (any version, including XP) immediately and maintain the OS as "open source". This would allow

competitors a fair chance to see what is coming down the road. Remember, Microsoft IS an OS monopoly and they use that monopoly to the best of their ability to further their products and hinder competitors. AT&T was split because of the same thing. In addition, all applications, such as, Internet Explorer, should be removed from the OS. This is software folks. If Microsoft says that it can't be done, they are lying. They are already using programming interfaces internally for these types of applications. All they need to do is expose those interfaces to the rest of the world. If they say this is impossible they are, once again, lying. All one needs to do is ask any TRUE software developer and they will tell you.

Thanks for your time,
Mark Wick

MTC-00013197

From: Ryo Sode
To: Microsoft ATR
Date: 1/17/02 1:23am
Subject: Microsoft Settlement
To Whom It May Concern,

I just don't like the way Microsoft carries out their business. . . I really have nothing else to say, but my vote should count, right?
Ryo

MTC-00013198

From: Brett Laurance
To: Microsoft ATR
Date: 1/17/02 1:30am
Subject: Microsoft Settlement

Make Microsoft's API and proprietary Office file formats publicly available. This is the only way to ensure Microsoft's monopoly is truly broken across both software and hardware platforms.

MTC-00013199

From: Michael A. Fuselier
To: Microsoft ATR
Date: 1/17/02 1:47am
Subject: Microsoft Settlement

On the Microsoft settlement, I think you should seriously consider raising the penalty amount from \$1 billion to somewhere between \$5 to \$30 billion, and make them pay it in cash. Divide it up between the schools in the country, and everyone who has every bought a Microsoft product.

Lets think about this for a moment. It has already been determined that they are a monopoly, and used predatory practices to get that monopoly. What is that monopoly worth? Well, its at least worth about \$40 billion in cash, because that's about what they have in the bank. That doesn't even include the company's assets, and annual sales which are probably worth at least another \$20 billion per year. You are not penalizing a small company, but the largest in the world, the settlement should be the largest in the world, by the same factor. Any company that can get away with the things Microsoft has got away with is deluding the government, and us public into thinking that they are going to change. I just paid \$450 for Microsoft Office, and the only thing that came in the box was a CD, and a 10 page brochure.

Not even a book. I think I deserve to get a book or two for \$450. How am I suppose

to learn the software I just spent 50% of the cost of my computer on? Do you know what kind of profit margin that is? I would venture to say at least 1000 percent. What other business can make that kind of profit, and still claim to have the consumers best interest at heart.

Think really hard, about this decision. Ask yourself what you want to pay for your next productivity suite? If this penalty isn't stiff, you can bet they won't hesitate to jack the prices and mafia type business practices in the future.

Stick it to them.

Thanks.

Michael Fuselier

MTC-00013200

From: Hugh A. Van Deursen
To: Microsoft ATR
Date: 1/17/02 1:52am
Subject: Microsoft Settlement
Hello,

The current settlement plan as devised by the Department of Justice is a sorrowful and pitiful answer to a problem of enormous proportions. It does absolutely nothing to rectify the illegal and unethical practices of a business but even encourages it to continue its business practices as had been done in the past. In addition, it can only encourage other businesses to commit similar acts of uncompetitive behavior since our own Department of Justice has implied that it is okay to treat Americans in such a manner and that the DOJ will turn its head to the actions committed against the people.

It appears the DOJ has ignored all of the testimony and evidence of not only the new people who provided information for the court but also the past travesties of Microsoft which caused a previous consent decree which Microsoft only laughed at and totally ignored. By doing what you are doing at this point, you are playing into the hands of Microsoft and only proving their feeling that you will not go through with what needs to be done to protect the American public. What needs to be done is similar to what brave DOJ's have done in the past with companies like Standard Oil Company, the results of which obviously have only benefited not only our country but the long term benefits to the oil industry were evidenced as well.

The original judge had it all correct when he found the company guilty of uncompetitive practices. It would seem the only mistake he made was to publicize some of his information outside of court. That hardly seems like a reason to give up. Judges are people too and therefor make mistakes. However, the evidence is still there. The testimony of many who trusted the DOJ when asked to testify on the government's behalf—for the people—are now being left uncared for by the DOJ. There can be no question that Microsoft will soon be prevailing their predatory practices against those who testified once the settlement is agreed to. After all, what would Microsoft have to lose? They already know that the DOJ will do nothing. Individuals and businesses will have absolutely no incentive to help the DOJ in the future because they will feel it will only help, not hurt, in the long term.

Time and again, the American way of competitiveness has only proven the benefit

of true competition. That doesn't matter whether it is automobiles or toilet paper. The competitive spirit to make things better due to the concern that another company will come out with a better product than you have makes us what we are. . . a great country. If Microsoft had some real competition they would not continue to put out a piece of software that still breaks so often and then require people to pay for the "upgrades" which are actually bug fixes that should be provided for free. Competition would cause them to make a better product. I am sure that is one reason that Apple has what is known to be a much superior operating system because they have a need to make a better product.

There are several ways available to the DOJ to provide some means of remedy to the actions of Microsoft:

*A breakup may not be the most practical or preferable, but the Standard (and other) breakups prove that will be beneficial.

*Putting a dollar amount on what Microsoft has cost people by its monopolistic practices and making them place it into an independent fund where not-for-profit organizations and schools can apply for the funds to purchase applications and operating systems of their choice for use to benefit people might be used but it would need to be an amount that actually punishes the company for what it has done and profited by as a result and would, ultimately, provide more benefit for more people.

*In addition to any of the above, requiring Microsoft to provide complete and entire sets of API's and file formats for Windows and Office (two major items pointed out in court where Microsoft has been found guilty) to a private entity that would be funded by Microsoft but be under the purview of the DOJ would seem to provide an opportunity for other companies to have access to the necessary code to provide operable systems and applications, not require daily watching by the DOJ, cause Microsoft to pay for the effort to remedy their improper actions, and provide the public with some decent competitive applications and systems.

*Maybe another partial solution that would at least cause some grief for Microsoft, though I am not sure of the legality of this part, would be to assess an amount in dollars and the aforementioned API and file formats against Microsoft that they would be required to pay and give directly to Apple and Linux so that they can make their operating systems capable of directly reading and writing any and all Microsoft applications and operating systems so that users of those systems do not have to purchase an emulator for their system. If users could take any disk or application they are able to use in a Microsoft system and just as easily use it in a Linux or Apple system, that would surely help those systems to compete better.

I have grown tired of paying for and having to use operating systems that do not work, or break often, due to the anti-competitiveness of Microsoft. If it were not for their ability to copy another company's operating system, Windows would not even be where it is now and users would have an even lesser product. The Internet Explorer browser was so unusable until recently when they realized

that they had to improve it since they had not completely beaten Netscape but only damaged them to the point they had to be bought by another company. It seemed to me that the DOJ was doing an excellent job of proving its case in court over the last couple years and I had high hopes that finally something would be done to make them make a better product by making them accountable for the uncompetitive antics they inflicted upon other companies and, ultimately, consumers.

When the King of England made the colonists pay excessive amounts for his taxes with only his choice of product, the people revolted and did what a good American would do, toss the rascals out. It is part of what allows us to be Americans, freedom of choice and freedom from improper business antics. We trust our government to protect us from aggressors. If Microsoft were a foreign company would they provided such leniency? Of course not because their true anti competitive actions would be acknowledged by the DOJ and proper remediation accomplished. It is time for the DOJ to help the American people revolt against an uncompetitive aggressor on our own soil and cause something that will truly take care of the situation.

The current DOJ proposal has nothing in it that will do this. Please do something that will, like a good, responsible, DOJ should.

Thank you,

Hugh A. Van Deursen

MTC-00013201

From: Julie Nungester
To: Microsoft ATR
Date: 1/17/02 2:01am
Subject: Microsoft Settlement

Dear Judge,

As the recent events have been made known to me my fear of injustice has steeply risen. The recent PFJ is bad news. Microsoft has taken things way too far and they are being allowed to monopolize the market. It is unjust to allow this process to continue. The long term effects will be grave if they are permitted to continue in this fashion. Please take these pleas into consideration.

Thank you for your time.

Julie Nungester
3131 McClintock A103
Los Angeles, CA 90007
CC:microsoftcomments@doj.ca.gov@inetgw

MTC-00013202

From: T Paluchniak
To: Microsoft ATR
Date: 1/17/02 2:20am
Subject: Microsoft settlement

Hello:

I am writing to express my opinion regarding the proposed Microsoft settlement.

For what it is worth I think it stinks. It seems to do little to keep Microsoft from using the same tactics to crush its competition. Look at Java for example. Java is everywhere, and developers like it because it works in a variety of different computing environments. Microsoft is fuelling with Sun Microsystems and as a result its recent version of Windows does not support Java. This clearly hurts competition. It also hurts software developers because eventually they

are forced to use whatever Microsoft wants them to use instead of Java. Another problem I have with the settlement is that companies that have traditionally been hurt by Microsoft's tactics such as Apple computer are not protected by the proposed settlement. For example, in the past Microsoft has forced Apple to do things it might not want to do in order to get Microsoft to produce a version of Microsoft Office (even though Office was making a profit), which Apple needs to stay in business. One such instance was that Microsoft forced Apple to start carrying Microsoft Internet Explorer as its default browser when in the past Apple had used Netscape Navigator. Microsoft also tried to get Apple to not produce a version of its QuickTime software for Windows because Microsoft did not want to compete with Apple. Many years ago Microsoft forced Apple to give up some of the rights to its own operating system. This behavior is anticompetitive, and hurts everybody whether they know it or not, especially people such as myself, who like alternatives to Windows.

As I pointed out earlier the new settlement does little to protect Apple. In August I believe Microsoft's agreement with Apple expires, and Microsoft is free to extract more blood from Apple in order for Apple to keep Microsoft producing Microsoft Office. This should not be the case. In the very least, Microsoft should be required to make versions of its flag ship products that are compatible with Windows versions of the products. This is necessary because then Apple could be free to compete with Microsoft in other areas without fear of retribution. Why is Office so important to Apple? Simple: most people use Office at work which is largely Windows based. At home if they have a Mac, or if they are starting a business using a Mac, people want to be able to communicate with their Windows using peers. Office started on the Mac, keep it that way. If Apple goes out of business, about 25 million unhappy people will be forced to use Windows, a product most would probably prefer to do without. Also it might be fair to consider forcing Microsoft to produce a version of Office for Linux.

I also would like to see Microsoft stop being able to bundle features into Windows that other companies made popular and were charging for previously. If it is allowed to do so at least make it easy to remove these features from Windows so that competitors products can be used instead. Recently when I was installing Apple's QuickTime software on a Windows machine, Windows asked me are you sure you want to install Quicktime, it is made by Apple Computer, do you trust Apple computer? Software that Microsoft has no problem with does not ask questions like that. In my view this type of message was designed to make you question software that Microsoft did not like. Microsoft should not be able to use such tactics. Windows should easily accept competing software, especially if other companies are already offering the same product. Microsoft should not be able to give something away for free if another company made something popular and was charging for it, like in the case of Netscape's Navigator.

I also would like to see a couple of other things done. First, I would like to see a person or a small group of people that have the direct power to enforce the settlement without having to go back to the court to do so. Doing so would keep Microsoft from resisting enforcing the settlement. Problems that the person or people find should be public. Second I would like to see Microsoft have to admit guilt, as it would allow for companies previously damaged by Microsoft's anticompetitive behavior to be able to more easily sue for damages if they so chose. If such companies were successful, this would allow the companies to use the money received to improve their own products, hopefully enhancing competition and further benefiting the consumer. Remember the original facts in this case were not under dispute. Microsoft is a monopoly and has abused its power to hurt competition. Letting it off the hook hurts does not remedy the wrongs done, and foster future competition. Thank you.

Sincerely,

Thomas Paluchniak

"In matters of style swim with the current. In matters of principle stand like a rock."

Thomas Jefferson

MTC-00013203

From: JRStrong@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 2:20am
Subject: At only 18, I could "see" this potential M\$ problem erupting in 1987 at UIUC?

I was a freshman in business at the University of Illinois at Urbana/Champaign in 1987 when I first "saw" the preferability of MacOS "constricted" by the high prices of the old-MacOS? At the time, every secretary at UIUC had a Macintosh on their desk, but they were unheard of anywhere else! In a Computer Science I had (C.S. 105), there was only ONE B/W Macintosh, and many Unix workstations. I remember talking with various students, C.S. people and others, who were constantly disgressing about how Apple wouldn't "license" the MacOS to anybody else? I had also just "heard" about Windoze 1.0 starting out, and I knew from the "times" that M\$ would constantly upgrade windows to make it better? Sure enough, exactly as I was forbidding, Windoze95 came out 8 years. but who could I have told (of my fears) and who would have listened to an 18 year old freshman from UIUC!

I had suffered a rather severe car accident in January 1988, so I had forgotten all about this "fear" until Win95 actually came out in August 1995! And from ALL that I had still learned in business at UIUC, I can see exactly how M\$ followed Bill Gates' C.S. "philosophy" of total domination, until he was unofficially "fired" from his CEO position! At the unofficial request of the DOJ who is evidently too "weak" to hold M\$ accountable, since this M\$ situation does so closely parallel the Sherman Antitrust "railroad bridge?"

Jeff Strong

jrstrong@aol.com
916/405-3010 voicemail
217/234-2547 voicemail/apartment
413/410-0665 fax

MTC-00013204

From: cranky
To: Microsoft ATR
Date: 1/17/02 2:22am
Subject: Microsoft Settlement

I am a software engineer in Silicon Valley. I do not find the proposed settlement adequate.

I believe a stiff penalty for Microsoft is in order. If this means holding the case open for another couple of years, so be it.

Microsoft, in its practice of attacking open standards and portability solutions (example: java) has been hampering software development for a number of years. In addition to this, it has been leveraging ownership of Windows to provide unfair advantages for Microsoft applications:

1. Performance increase via internal Microsoft-only API's.

2. Product leveraging by including them "free" with the operating system (Internet Explorer). Normally, the market would react to this by going to a competing OS. However, the applications barrier to entry (see Judge Jackson's Finding of Facts) along with Microsoft's control of the desktop market makes this impossible.

Microsoft does not currently control the UNIX/Linux market, but those machines have very little applicability to home and non-technical business users. In the home desktop OS market it does in fact have a monopoly.

Microsoft's monopoly power hinders, not drives competition and innovation in the software industry. An effective remedy really requires a breakup of the company.

Please withdraw your consent from the revised proposed Final Judgment.

Thank you.

Mike Gdog G

MTC-00013205

From: Baskaran Subramaniam
To: Microsoft ATR
Date: 1/17/02 2:23am
Subject: Microsoft settlement. . .

Microsoft used its monopoly position in the market to kill competitors and thereby hurt consumers. Microsoft MUST pay penalty for its illegal behavior in addition to being forcefully prevented from using its monopoly position. The only way that this could happen is if the company is broken up into 3 or more pieces (Operating system company, internet service company, game development company, application software company and more). Of these only one of the new company should be called Microsoft.

Thank you very much for accepting public comments regarding this landmark case.

Sincerely,

Dr. Baskaran Subramaniam
Concerned Citizen

MTC-00013206

From: Elizabeth Wrancher
To: Microsoft Settlement
Date: 1/16/02 8:40pm
Subject: Microsoft Settlement
Elizabeth Wrancher
2630 Amsden Road
Winter Park, FL 32792-3513
January 16, 2002
Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. Please vote for the Microsoft Settlement.

Sincerely,

Elizabeth Wrancher

MTC-00013207

From: Carolyn Fielder
To: Microsoft ATR
Date: 1/17/02 2:29am
Subject: Microsoft Settlement

Please settle this mess as soon as possible. Microsoft provides many employment opportunities in the Northwest and throughout the country. Since when is a capitalist country against capitalism? In this country we reserve the right to profit from our own ideas. It is unfortunate that those who are not as creative must find their own importance by tearing down the labor of others who work harder. Bill Gates and his company had the foresight to patent or copyright their intellectual material. Let them reap the rewards of their labor. They don't 'keep it to themselves' but spread it throughout the community and the world with worthy causes. Leave them alone. Let those who are jealous of his success get off their butts and build their own empire. Settle the darned thing because we are tired of hearing about it!

Carolyn Fielder

MTC-00013208

From: Kaye Pope
To: Microsoft Settlement
Date: 1/16/02 5:20pm
Subject: Microsoft Settlement
Kaye Pope
817 Vine St
Imperial, MO 63052
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the

wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

Kaye Pope

MTC-00013209

From: Ken Miller
To: Microsoft Settlement
Date: 1/16/02 5:03pm
Subject: Microsoft Settlement
Ken Miller
18 E. 28th
Hutchinson, Ks 67502
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Ken Miller

MTC-00013210

From: Daniel Dean

To: Microsoft Settlement
Date: 1/16/02 6:29pm
Subject: Microsoft Settlement
Daniel Dean
229 Paine Dr.
WinterHaven, fl 33884
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Daniel Dean

MTC-00013211

From: Bobby Powell
To: Microsoft Settlement
Date: 1/16/02 8:50pm
Subject: Microsoft Settlement
Bobby Powell
2304 12th Ave.
Albany, Ga 31707
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Bobby Powell

MTC-00013212

From: Wayne Cobb
To: Microsoft Settlement
Date: 1/16/02 3:01pm
Subject: Microsoft Settlement
Wayne Cobb
10120 Trail Drive
Reno, NV 89506
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Wayne K. Cobb

MTC-00013213

From: Joanne O'Reilly
To: Microsoft Settlement
Date: 1/16/02 7:15pm
Subject: Microsoft Settlement
Joanne O'Reilly
65 E.McDonald Road
Pinehurst, NC 28374
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a

serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Joanne O'Reilly

MTC-00013214

From: Mark Lento
To: Microsoft Settlement
Date: 1/16/02 8:15pm
Subject: Microsoft Settlement
Mark Lento
P.O. Box 8100
Red Bank, NJ 07701-8100
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry.

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Thank you for this opportunity to share my views.

Sincerely,
Mark Lento

MTC-00013215

From: John Kraemer
To: Microsoft Settlement
Date: 1/16/02 9:43pm
Subject: Microsoft Settlement
John Kraemer
3349 Blue Rock Rd.
Cincinnati, OH 45239
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

John Kraemer

MTC-00013216

From: Donna Wiss
To: Microsoft Settlement
Date: 1/16/02 6:00pm
Subject: Microsoft Settlement
Donna Wiss
7062 Red Mesa Dr.
Littleton, CO 80125
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Donna Wiss

MTC-00013217

From: Vonnie Kenney
To: Microsoft Settlement
Date: 1/16/02 9:56pm
Subject: Microsoft Settlement
Vonnice Kenney
768 Hillside Ct
Plainfield, in 46168
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Vonnice Kenney

MTC-00013218

From: Lesley Lind
To: Microsoft Settlement
Date: 1/16/02 4:06pm
Subject: Microsoft Settlement
Lesley Lind
4011 W. Azeele St.
tampa, FL 33609
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a

serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Lesley Lind

MTC-00013219

From: Earl W. Traut
To: Microsoft Settlement
Date: 1/16/02 4:03pm
Subject: Microsoft Settlement
Earl W. Traut
12022 Topaz St
Clermont, FL 34711
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Earl W. Traut

MTC-00013220

From: WIN SMITH

To: Microsoft Settlement
 Date: 1/16/02 7:18pm
 Subject: Microsoft Settlement
 WIN SMITH
 5341 GREENWICH LANE
 JOPLIN, MO 64804-8250
 January 16, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
 WIN SMITH

MTC-00013221

From: John Troy
 To: Microsoft Settlement
 Date: 1/16/02 8:43pm
 Subject: Microsoft Settlement
 John Troy
 POB 2240
 North Babylon, NY 11773
 January 16, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
 JohnTroy

MTC-00013222

From: Joseph Garcia
 To: Microsoft Settlement
 Date: 1/16/02 6:07pm
 Subject: Microsoft Settlement
 Joseph Garcia
 163 Claywood Drive
 Brentwood, ny 11717
 January 16, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
 Joseph Garcia

MTC-00013223

From: Eddie Fry
 To: Microsoft Settlement
 Date: 1/16/02 9:00pm
 Subject: Microsoft Settlement
 Eddie Fry
 2638 Big Wheel Way
 Alpine, Ca 91901
 January 16, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech

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Thank you for this opportunity to share my views.

Sincerely,
 Eddie E. Fry

MTC-00013224

From: Michael Henke
 To: Microsoft Settlement
 Date: 1/16/02 3:06pm
 Subject: Microsoft Settlement
 Michael Henke
 3121 N 48th St
 Omaha, NE 68104
 January 16, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
 Michael Henke

MTC-00013225

From: Jean McKinney

To: Microsoft Settlement
Date: 1/16/02 3:27pm
Subject: Microsoft Settlement
Jean McKinney
15103 Morning Circle
San Antonio, TX 78247-3330
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Jean McKinney

MTC-00013226

From: Jean Martin
To: Microsoft Settlement
Date: 1/16/02 8:50pm
Subject: Microsoft Settlement
Jean Martin
615 Towne House Lane
Richardson, TX 75081-3531
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Jean L. Martin

MTC-00013227

From: Emil Schauer
To: Microsoft Settlement
Date: 1/16/02 9:38pm
Subject: Microsoft Settlement
Emil Schauer
25622 Breckenridge Dr
Euclid, Oh 44117-1809
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Emil J Schauer

MTC-00013228

From: Kevin Jones
To: Microsoft Settlement
Date: 1/16/02 10:54pm
Subject: Microsoft Settlement
Kevin Jones
3037 North Racine Ave. Suite #3
Chicago, IL 60657-4225
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a

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Thank you for this opportunity to share my views.

Sincerely,
Kevin L. Jones

MTC-00013229

From: William G Henry
To: Microsoft Settlement
Date: 1/16/02 4:59pm
Subject: Microsoft Settlement
William G Henry
611 Fisherman Pl
Brick, NJ 08724
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
William and Delores Henry

MTC-00013230

From: Marilyn Payton
To: Microsoft Settlement
Date: 1/16/02 3:26pm
Subject: Microsoft Settlement
Marilyn Payton
P.O. Box 191
Rosedale, IN 47874-0191
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Marilyn Payton

MTC-00013231

From: kenneth stokely
To: Microsoft Settlement
Date: 1/16/02 7:30pm
Subject: Microsoft Settlement
kenneth stokely
3021 del monte avenue
bay city, tx 77414
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

kenneth g stokely

MTC-00013232

From: Darlene Jensen
To: Microsoft Settlement
Date: 1/16/02 5:13pm
Subject: Microsoft Settlement
Darlene Jensen
19165 SE Carmel Dr.
Damascus, OR 97009
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Mr. & Mrs. R. J. Jensen

MTC-00013233

From: Jan Henshaw
To: Microsoft Settlement
Date: 1/16/02 11:33pm
Subject: Microsoft Settlement
Jan Henshaw
6009 SE Heike St.
Hillsboro, OR 97123
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Jan M. Henshaw

MTC-00013234

From: Glenda Wilson
To: Microsoft Settlement
Date: 1/16/02 8:05pm
Subject: Microsoft Settlement
Glenda Wilson
2525 Nantucket, #2
Houston, Tx 77057
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Glenda Wilson

MTC-00013235

From: John McNaugher
To: Microsoft Settlement
Date: 1/16/02 9:00pm
Subject: Microsoft Settlement
John McNaugher
9904 Belton Circle
Wexford, PA 15090
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

John and Eleanor McNaugher

MTC-00013236

From: Barbara Blevins
To: Microsoft Settlement
Date: 1/16/02 10:17pm
Subject: Microsoft Settlement
Barbara Blevins
16101 Barbara Ct.
Grass Valley, CA 95949
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Barbara J. Blevins

MTC-00013237

From: Richard Boesken
To: Microsoft Settlement
Date: 1/16/02 9:58pm
Subject: Microsoft Settlement
Richard Boesken
81 Mandolin Dr.
Lake Placid, FL 33852-6109
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Richard G. Boesken

MTC-00013238

From: John Heinsen
To: Microsoft Settlement
Date: 1/16/02 4:59pm
Subject: Microsoft Settlement
John Heinsen
6950 Compass Ct.
Orlando, FL 32810-3656
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

John Heinsen

MTC-00013239

From: David Norden
To: Microsoft Settlement
Date: 1/16/02 6:16pm
Subject: Microsoft Settlement
David Norden
P.O. Box 993
Warrenton, VA 20188-0993
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
David A. Norden

MTC-00013240

From: Rudolph Hensley
To: Microsoft Settlement
Date: 1/16/02 10:29pm
Subject: Microsoft Settlement
Rudolph Hensley
401 Club Drive
Hinesville, GA 31313-3808
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Rudolph Hensley

MTC-00013241

From: Michael Corbin
To: Microsoft Settlement
Date: 1/16/02 5:20pm
Subject: Microsoft Settlement
Michael Corbin
26835 Roland Tyler Road
Crisfield, MD 21817
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Michael Corbin

MTC-00013242

From: Peter Graybash
To: Microsoft Settlement
Date: 1/16/02 10:38pm
Subject: Microsoft Settlement
Peter Graybash
4 Cambridge Drive
Hershey, PA 17033-2100
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Peter J. Graybash, Jr.

MTC-00013243

From: Carol Maynard
To: Microsoft Settlement
Date: 1/16/02 9:50pm
Subject: Microsoft Settlement
Carol Maynard
8341 Chinaberry Rd
Vero Beach, FL 32963
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Carol Maynard

MTC-00013244

From: Marie Arceneaux
To: Microsoft Settlement
Date: 1/16/02 3:35pm
Subject: Microsoft Settlement
Marie Arceneaux
3048 Hwy 308
Napoleonville, La 70390
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Marie Arceneaux

MTC-00013245

From: Cynthia Minardi
To: Microsoft Settlement
Date: 1/16/02 10:24pm
Subject: Microsoft Settlement
Cynthia Minardi
39580 Bonaire Way
Murrieta, Ca 92563
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief. Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies. Thank you for this opportunity to share my views.

Sincerely,
Cynthia Lee Minardi

MTC-00013246

From: Tracey Sullivan
To: Microsoft Settlement
Date: 1/16/02 3:23pm
Subject: Microsoft Settlement
Tracey Sullivan
1315 Vine Street
Middletown, PA 17057
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief. Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into

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Thank you for this opportunity to share my views.

Sincerely,
Tracey A. Sullivan

MTC-00013247

From: Elon Sowell
To: Microsoft Settlement
Date: 1/16/02 3:09pm
Subject: Microsoft Settlement
Elon Sowell
P.O. Box 42
1010 Star Lake Rd.
Alturas, Fl 33820-0042
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief. Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

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Thank you for this opportunity to share my views.

Sincerely,
Elon Sowell

MTC-00013248

From: David Gray
To: Microsoft Settlement
Date: 1/16/02 3:55pm
Subject: Microsoft Settlement
David Gray
792 Spanish Cove Drive
Melbourne, FL 32940
January 16, 2002
Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
David L. Gray

MTC-00013249

From: Carolyn Taylor
To: Microsoft Settlement
Date: 1/16/02 4:12pm
Subject: Microsoft Settlement
Carolyn Taylor
2011 Eastridge Road
Timonium, MD 21093
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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technologies. Thank you for this opportunity to share my views.

Sincerely,
Carolyn Taylor

MTC-00013250

From: JOHN VANDERWALKER

To: Microsoft Settlement

Date: 1/16/02 10:01pm

Subject: Microsoft Settlement

JOHN VANDERWALKER

PO BOX 1051

ENUMCLAW, WA 98022-1051

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,
J.E.VANDERWALKER

MTC-00013251

From: Thomas Henderson

To: Microsoft Settlement

Date: 1/16/02 11:05pm

Subject: Microsoft Settlement

Thomas Henderson

5108 santa anita ave.

Temple city, Ca 91780

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

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Sincerely,
tom henderson

MTC-00013252

From: John Downer Jr

To: Microsoft Settlement

Date: 1/16/02 8:13pm

Subject: Microsoft Settlement

John Downer Jr

58230 Pueblo Trail

Yucca Valley, Ca 92284

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
John & Grace Downer

MTC-00013253

From: Paul Crisp

To: Microsoft Settlement

Date: 1/16/02 5:44pm

Subject: Microsoft Settlement

Paul Crisp

P.O. Box 280

Rural Retreat, VA 24368

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Marilynn & Paul Crisp, Jr.

MTC-00013254

From: Donna O'Daniel

To: Microsoft Settlement

Date: 1/16/02 8:23pm

Subject: Microsoft Settlement

Donna O'Daniel

216 West Corral Drive

Payson, AZ 85541

January 16, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

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Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Donna O'Daniel

MTC-00013255

From: Robert Jennings
To: Microsoft Settlement
Date: 1/16/02 4:59pm
Subject: Microsoft Settlement
Robert Jennings
22016 N. 44th Place
Phoenix, AZ 85050
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Robert Jennings

MTC-00013256

From: Joseph F. Yates
To: Microsoft Settlement
Date: 1/16/02 7:44pm
Subject: Microsoft Settlement
Joseph F. Yates
4411 Beechland Rd
Springfield, Ky 40069
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Joseph F. Yates

MTC-00013257

From: Mark Walker
To: Microsoft Settlement
Date: 1/16/02 8:20pm
Subject: Microsoft Settlement
Mark Walker
1525 140th Avenue
Wayland, MI 49348-9556
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Mark E. Walker

MTC-00013258

From: Lezlie Baska
To: Microsoft Settlement
Date: 1/16/02 5:35pm
Subject: Microsoft Settlement
Lezlie Baska
17716 W 67th Street
Shawnee, KS 66217
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Lezlie Baska

MTC-00013259

From: Yvonne Shoemaker
To: Microsoft Settlement
Date: 1/16/02 9:22pm
Subject: Microsoft Settlement
Yvonne Shoemaker
14723 Maugansville Road
Hagerstown, MD 21740-2421
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Yvonne B. Shoemaker

MTC-00013260

From: Thomas Servilla
To: Microsoft Settlement
Date: 1/16/02 3:12pm
Subject: Microsoft Settlement
Thomas Servilla
48 Rockridge Dr., N.E.
Albuquerque, NM 87122-2007
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Thomas Servilla

MTC-00013261

From: JERRY GONZALES
To: Microsoft Settlement
Date: 1/16/02 4:20pm
Subject: Microsoft Settlement
JERRY GONZALES
6215 PLYMOUTH ROCK LN.
CITRUS HEIGHTS, CA 95621
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
JERRY GONZALES

MTC-00013262

From: Laura J. Ziegler
To: Microsoft Settlement
Date: 1/16/02 3:16pm
Subject: Microsoft Settlement
Laura J. Ziegler
5262 Margaret drive
Bonita, CA 91902-2108
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Laura J. Ziegler

MTC-00013263

From: Katherine Savastano
To: Microsoft Settlement
Date: 1/16/02 9:28pm
Subject: Microsoft Settlement
Katherine Savastano
P.O. Box 2928
Lake Placid, FL 33862-2928
January 16, 2002

Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Katherine Savastano

MTC-00013264

From: David Hockenberry 11
To: Microsoft Settlement
Date: 1/16/02 7:49pm
Subject: Microsoft Settlement
David Hockenberry 11
240 Oak Flat Rd.
Newville, PA 17241
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
David R. Hockenberry 11

MTC-00013265

From: Jimmy Keener
To: Microsoft Settlement
Date: 1/16/02 6:56pm
Subject: Microsoft Settlement
Jimmy Keener
1425 West 'A' Street
Kannapolis, NC 28081-9300
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Mr. & Mrs. Jimmy Keener

MTC-00013266

From: Walter Schneider
To: Microsoft Settlement
Date: 1/16/02 8:23pm
Subject: Microsoft Settlement
Walter Schneider
1603 Riverdale Ave
Sheboygan, WI 53081-8045
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Walter Schneider

MTC-00013267

From: Walter Schneider
To: Microsoft Settlement
Date: 1/16/02 8:23pm
Subject: Microsoft Settlement
Walter Schneider
1603 Riverdale Ave
Sheboygan, WI 53081-8045
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

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Thank you for this opportunity to share my views.

Sincerely,
Walter Schneider

MTC-00013268

From: Janice Schneider
To: Microsoft Settlement
Date: 1/16/02 8:21pm
Subject: Microsoft Settlement
Janice Schneider
1603 Riverdale Ave
Sheboygan, WI 53081-8045
January 16, 2002

Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

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Thank you for this opportunity to share my views.

Sincerely,
Janice Schneider

MTC-00013269

From: Gregory Juster
To: Microsoft ATR
Date: 1/17/02 2:44am
Subject: Microsoft Settlement

I was happy with the Microsoft proposal being rejected. Here's some settlement ideas:

Microsoft shall not buy any intellectual properties, shares or merge with any company unless approved by the justice department for a 15 years span. Microsoft shall be split into different entities: OS, Softwares and Services and hardware. Microsoft should open their API to other OS. Microsoft shall not have exclusive deal with hardware companies regarding their OS and software for a 5 year span.

If Microsoft is found guilty afterward of anti-competitive practice, Microsoft should be fine 1B\$ given to a world charity group.

This will give a fair options for both Microsoft, consumers and competitors.

Regards,
Gregory Juster

MTC-00013270

From: Howard D. Baird
To: Microsoft Settlement
Date: 1/16/02 5:23pm
Subject: Microsoft Settlement
Howard D. Baird
1041 Rockwood Trl.
Fayetteville, AR 72701
January 16, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely, Stop wasting our tax dollars.

From one of those in the top 50%

who pay 95.7% of all income taxes.

Howard D. Baird

MTC-00013272

From: Jim Barrow

To: Microsoft ATR

Date: 1/17/02 2:58am

Subject: Microsoft Settlement

Microsoft continues to steal and copy other companies' ideas, put little guys out of business by any means possible, while at the same time, and because of their large market share, deliver mediocre products with no real innovation.

Apple continues to be one of the few companies to create quality products, with truly innovative ideas that Microsoft simply copies after Apple has done all the work.

Now, Microsoft wants to force the schools to use their cheap, expensive to maintain computers which end up costing more in training and repair than Macs.

Who the Hell is Microsoft paying off to get away with their blatant robbery. Viruses, the Y2K nightmare, are just not an issue on a Mac. Can't someone see what is going on here.

Are you just going to sit by and let them continue to get away with it? What does it take for you guys to wake up? Windows XP is a JOKE! Want to see a really modern operating system? Here you go: <http://www.apple.com/macosx/>

Windows XP takes over your machine like a virus. It converts your files so that you can not go back to using them unless you use Microsoft products. It converts your MP3 music with Media Player so that they will then only play on Microsoft software.

How about making Microsoft donate \$100 million to the schools that they can use to purchase any computer they want. If you do that, they will buy what they really want. Want to see real innovation? Check out what

Microsoft will be copying next: <http://www.apple.com/imac/>

What is it going to take for you people you see what is going on?

Jim Barrow

MTC-00013273

From: DKNYanks@aol.com@inetgw

To: Microsoft ATR

Date: 1/17/02 3:08am

Subject: Microsoft Settlement

Dear Judge Kotelly,

It would be a grave mistake to allow Microsoft to cut this PFJ deal. As a student and especially an American, a decision like this would not show true capitalism, as we are taught by the Constitution and the government in this country.

I know you are probably reading many emails like this but I want to remind you of something my International Relations teacher taught me about the country of Angola in Africa. There are, as of right now, only 2 plane companies that fly into and out of Angola. One flies one night and the other the other night. A plane ticket to Angola costs, ballpark \$5,000. This ridiculous mess is the result of non-competition—a monopoly, if you will, on the plane market in Angola. Not only are the prices terribly high but the public (whoever flies with them) has to cater to their needs (times, etc.) instead of a free choice of the spender. Monopolies, much like what Microsoft has become and will continue to become, are horrible testimonies to what America is about and will be the downfall of the economy as I leave college and try to find a job. Monopolies eliminate a free market and the choice of working class Americans.

Please do not let this happen.

Thank you.

David Kleinknecht

213-764-0508

CC:microsoftcomments@

doj.ca.gov@inetgw, dkleinkn@yahoo.

MTC-00013274

From: Harry A Stahla

To: Microsoft Settlement

Date: 1/17/02 12:42am

Subject: Microsoft Settlement

Harry A Stahla

175 South 5th Ave

Brighton, Co 80601

January 17, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Harry A Stahla

MTC-00013275

From: Gary & Mary Martin

To: Microsoft Settlement

Date: 1/17/02 12:30am

Subject: Microsoft Settlement

Gary & Mary Martin

4148 Meade Lake Road

Millington, TN 38053

January 17, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Gary & Mary Martin

MTC-00013276

From: Loren Thompson

To: Microsoft Settlement

Date: 1/17/02 12:41am

Subject: Microsoft Settlement

Loren Thompson

101 Prairie Dr.

Minooka, IL 60447

January 17, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Loren J. Thompson

MTC-00013277

From: Kooros Teherani
To: Microsoft Settlement
Date: 1/17/02 1:53am
Subject: Microsoft Settlement
Kooros Teherani
509 Ohio Avenue
Long Beach, CA 90814
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Kooros Teherani

MTC-00013278

From: Steffmo@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 3:41am
Subject: Microsoft Settlement
January 16, 2002

To Whom It May Concern:

As a professional who relies on computers for a large amount of my income, I wish to express my opinion that "slap on the wrist" remedies are inappropriate in the matter of Microsoft. My general observations of the company while following this matter are that this company has come to see itself as above the law, and, as we move into a new phase internet oriented computing, I find this very threatening. In fact, I find the notion that Microsoft may be allowed to expand its hedgemony into the financial services area of the net, where all of our private information will reside, to be downright scary given its unethical actions during the court proceedings.

Microsoft has exhibited time and time again that it will cut at the knees any company who does not explicitly share its vision, or chooses not to accept Microsoft's designated position for it in its grand scheme of computing. The fact that Microsoft has exhibited this willingness to cherry pick the best ideas for inclusion into Windows means that there will be less incentive for innovators to test commercial waters with new concepts, as they know that once they have proven their concept Microsoft will simply declare it a "feature" of their next version of Windows.

This viewpoint has been exhibited in Microsoft's stance vis a vis Java, and is currently showcased by its exclusion of Real Audio and Quicktime software from the standard Windows XP package to the benefit of its own Media Player software. Despite its pleas that innovation is being stifled, the record shows that Microsoft has never been an innovator. Microsoft has reiterated the idea of windows as espoused by Xerox and Apple; the browser as put forth by Netscape; the media player as created by Quicktime and Realplayer; and more. Microsoft's attempt to dilute Java into yet another proprietary technology is well documented in court. Although I recognize Microsoft's talent at integrating, many of the ideas we accept as common in Windows were in fact developed elsewhere. Perhaps in a normal business environment these actions are acceptable as competitive.

However, with the courts having decided at great cost to the American taxpayer that Microsoft is a monopoly, it is up to you to devise strict and meaningful remedies to ensure that Microsoft does not continue to abuse those companies brave enough to compete with it. To do anything less is to denigrate the public trust, and devalue our tax dollars.

Please resist misguided political and economic pressure and pressure and hand Microsoft a remedy that illustrates public resolve against this kind of business behavior.

Sincerely,
Victor C. Bernardoni

President, horizon Music Group, Inc.
Vic@www.horizonmusicgroup.com
By Email

MTC-00013279

From: Rwy2400@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 3:46am
Subject: Microsoft Settlement

Leave them be. The settlement is fine. Go investigate some real criminals . . . like the executives of Enron.

MTC-00013280

From: Andrew Somogyi
To: Microsoft Settlement
Date: 1/17/02 12:00am
Subject: Microsoft Settlement
Andrew Somogyi
P.O. Box 912
Poulsbo, WA 98370
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies. Thank you for this opportunity to share my views.

Also when it is legal or ethical for competitors of Micro-soft to get a slush fund together to lobby the Justice Department to bring a monopoly suit against them? Jim Barksdale, former CEO of Netscape vowed to bury Bill Gates. How did it HURT consumers to get free software from both Micro-soft and Netscape? James Barksdale was hurt because he couldn't make a profit by giving away his product. Freebies have been given away for buying a certain brand of gas, going to a movie, opening an account at a certain bank, going to see a baseball game and much more! For most part the MONOPOLY charge was politically motivated by the DEMOCRATS. They received more donations from SILICON VALLEY that election year than years before.

DO NOT STIFFEL honest competition, that's what made this country great and different from the REST of the WORLD.

Sincerely,

Mr. Andrew Somogyi'

MTC-00013281

From: Tim Mansour
To: Microsoft ATR
Date: 1/17/02 4:00am
Subject: Microsoft Settlement
To the Dept of Justice:

I'm appalled at Microsoft's recent attempts to settle this antitrust case by giving away software and hardware. What an absurd and transparent attempt to *increase* their stranglehold on the market, and thank God the judge involved didn't accept their offer.

Microsoft is absolutely a monopoly: I feel this every day as an Apple Mac user. I want—and should have—the freedom to choose what tools I use for my work, and what appliances I buy for my lifestyle. The more Microsoft is allowed to invade every area of my life, the more I'm worried about even having any choice.

Microsoft should pay a *substantial* amount of money into a fund which can be administered by a *representative* group of computer executives: including those with interests in Linux, Unix, Java and Mac OS. But, this fund should be ongoing for some time: some money which finds itself in Microsoft's pockets because users have no choice should go into helping competitors until those competitors are actually helped by it—in other words, until Microsoft's market share drops. Until then, what's the point in offering token gestures? If the free market economy is to survive on competition, then let the competition begin! I'd suggest that a certain sum (or certain % of gross profits) from Microsoft should go into the fund for the next five years.

Tim Mansour <tlm@mac.com>

MTC-00013282

From: Dolores J Preble
To: Microsoft ATR
Date: 1/17/02 4:02am
Subject: Microsoft Settlement
I support the proposed settlement.
Dolores Preble

MTC-00013283

From: Funky Soul Rebels
To: Microsoft ATR
Date: 1/17/02 4:14am
Subject: Hoping for Justice
To Whom it May Concern,

It is becoming rapidly apparent that our world is on the brink of many turning points. From terrorist threats to political and economic fiascoes, we are experiencing the most turbulent time in our nation's history. If there is any security that we Americans have, it's in knowing that there are competent men and women of integrity running the government and judicial system. Of course, that ideal rarely graces our reality when there are riches involved.

The current Microsoft litigation is a prime example. It is obvious that the company's massive buying power has come into play as they shamelessly continue to utilize the surreptitious maneuvers that earned them the status of a full-blown monopoly in the first place. The company has proven time and time again that it doesn't give a fig about fair play and will use anything in its vast arsenal of unethical tactics to wipe out the very

competition they stole their ideas from! Just listen to their proposed settlement, it actually gives them an opportunity to monopolize the educational market, an untapped resource that is currently dominated by Apple. What happened to our anti-trust laws? Is this American Justice? Will Big Money have the final say in everything?

If answer is yes, then it isn't difficult to see what the future awaits this country. Just take a good look at the repetitive history of all empires and you will see that they all fell due to the greed and corruption of their leaders. We live in a time when the line between corporation and government is blurred. Microsoft has found ways to influence the highest levels of power and authority in the name of the almighty dollar. I am not a capitalism basher by any means. People should be free to get as rich as they want. I just don't want to see another blatant injustice funded by deep pockets. With more resources than any terrorist network or mafia clan, Microsoft is the world's richest bully and must be taught that the court's decision does not have a price tag. I implore you to make our voices heard in this matter so that we can believe in this country again. If justice does not prevail, it is only the beginning of our great nation's inevitable collapse.

My words may sound melodramatic to some, but I firmly stand behind the conviction that we have shed our blood in vain if we struggle to defend something that is rotting from the inside out.

Sincerely,
Heath Davis
252 South 4th Street
Brooklyn, NY 11211

MTC-00013284

From: Bryce Ryness
To: Microsoft ATR
Date: 1/17/02 4:30am
Subject: Microsoft Settlement

Dear Judge,

As a business student at the University of Southern California I've had a little exposure to this case and the parties involved. And I must say that it is unfortunately that where there's a lot of money there's always a lot of gray- both in terms of legal and moral "right". With so much at stake a significant number of people will be hurt regardless of which side the decision favors. You control the fate of a lot of people.

Your decision is one I do not wish on myself. However, it has come to my attention that you're accepting statements of opinion to help you decide this case. Given such an opportunity, I will give you my synopsis of the situation and my opinions on the final judgments.

1. First and foremost, I feel that Microsoft is in violation of all applicable anti-trust laws. The most powerful evidence to this conclusion are the countless stories (and testimonies) given telling how Microsoft has used their size to "bully" smaller computer manufacturers into carrying their products (regardless of the wishes of the end-user). This kills the competitive spirit that keeps the United States' market economy alive and thriving.

2. In addition, their size and market dominance has allowed them to control the

actions, and reactions, of their customers. Simple economics states that one of the characteristics of a monopolistic company is in that company's ability to control prices within their market. At this current time, I've heard nothing but support for Microsoft's "price-fixing" by expert economists. Granted, their "fixing" of prices for their generally-superior products is grossly subjective (how much does a piece of software cost, really?) in terms of dollars and cents, but the motivation and theory behind their pricing schemes shows the primary characteristics of a monopolistic company.

I applaud the efforts of the Department of Justice in putting Microsoft under the microscope. As history reveals to us, all too often monopolistic companies are only challenged when they've grown so big and have taken the industry into such a place of inefficiency that it's difficult to internally justify killing such a societal mainstay. However, you're on the right track by nipping this in the bud early. It makes your job tougher because the margins are smaller, but cleaning up this little mess early will save billions of dollars in the future.

Sincerely,
Bryce C. Ryness
Student, University of Southern California
CC:microsoftcomments@
doj.ca.gov@inetgw, dkleinkn@yahoo.

MTC-00013285

From: Derek Kent
To: Microsoft ATR
Date: 1/17/02 5:00am
Subject: MS Antitrust Settlement Suggestions
There are a few very important steps that I feel should be adopted in any settlement or ruling in the Microsoft antitrust trial.

(1) Force open every API Microsoft owns now, and in the future for at least 20 years. An API is an Application Programming Interface. Having an open API is very commonplace and Microsoft is one of the few companies in the world their close most of theirs. Forcing open Microsoft's APIs would allow other developers to compete with Microsoft software on the Windows platform and create some competition for products like Microsoft Office which haven't seen competition for far too long. Equivalent products could easily be released for under \$100, and because of how important Office has become for many consumers and businesses, this would be enormously beneficial for consumers.

(2) Fine Microsoft heavily. One of the large reasons Microsoft is able to kill companies like Netscape is because it has a huge cash reserve that allow it to price products in ranges that competitors simply can't survive at. Of course Microsoft looks to make a profit off of the software after it has become the standard and has no competition. A large portion of this fine should be divided up among companies that produce products that compete directly with Microsoft and should be enforced to be used for research and development of those or similar products that either compete directly or are related to products that compete directly. A fine of no less than \$15 billion is advisable

(Microsoft has a cash hoard of over \$30 billion). Companies that should receive a

share of this include Apple Computer, Sun Microsystems, Red Hat (and other distributors of Linux), IBM, a number of small open source projects such as Sourceforge.net, AOL, and The Omni Group to name a few. This money could also be offered to developers to be used to bring or continue to develop software for Operating Systems besides Windows, such as the Macintosh and Linux. In addition to this point, Microsoft should be required to continue to support and develop any software it currently makes for alternate Operating Systems to Windows for at least 6 years.

3) A breakup of Microsoft as suggested by Judge Jackson would be most effective combined with the above two solutions. It would strongly advisable, although not entirely necessary.

4) Obviously a number of other solutions are also needed in conjunction with the above, although I'll leave those up to others to propose. The above suggestions focus heavily on restoring competition as quickly and fairly as possible into the computer industry across a broad range of areas to best benefit consumers. However, obviously additional remedies are needed to ensure Microsoft stops (as it is still continuing to) breaking antitrust laws and competes fairly in the marketplace not simply for a short period of time. Many of Microsoft's licensing practices need to be examined and changed, as well as monitored in the future by a third party. Etc. Etc. Basically, 3 things need to be targeted:

(1) Competition needs to be restored (points 1 and 2 that I make, others are also possible)

(2) Competition needs to be ensured

(3) and Microsoft's business practices need to be monitored for unfair business practices similar to the way IBM's were

Cheers,
Dak

MTC-00013286

From: Charles Truong
To: Microsoft ATR
Date: 1/16/02 8:58pm
Subject: Microsoft Settlement

Hello

There are only one good way for this settlement.

1. Microsoft should be fine much more money than the settlement that they want and all the major of the money should be use to order all the poor schools with ONLY APPLE MACINTOSH computer running Mac OS and continue to supply with Apple computer and nothing else.

2. And continue to write Microsoft Office for MAC for a long period of time as well as continue to update this software a same timeframe as windows counterparts.

Charles Truong

MTC-00013287

From: Michael Foy
To: Microsoft ATR
Date: 1/17/02 5:28am
Subject: my email views

I hope this will not be binned straight away let me first of all state that I am a mac owner and have had Apple computers since 1980

and mac owner since 1984. I shan't go into all the sordid history or Microsoft, let's deal with the present and what to do now. Microsoft MUST be made an example of, they are even now continuing their bullying ways venturing into other (non-computer) areas as a safety measure so that even if judgment is hard against them they will survive. if you split up microsoft, it is really no solution, they will continue in their ways and the thought that there would be an open playing field is incorrect, the "old boy network" will continue to run and communication between the two companies is appear to be broken, but in reality, meeting "between old friends" etc will furnish them with an added advantage.

Do not consider making microsoft donate software and computers to schools, this will give them a leavage on young minds and rob other companies of a market.

the only sensible solution (and I don't know how you can do this) is to make the OS software open source, make it public property, nationalize it, take it away from them as a resource to valuable for a single company to own, make it free, rob them of their revenue, they can then continue to develop software, but not with an advantage.

thank you for allowing me to have my say.
Michael Foy

MTC-00013288

From: Scott Forbes
To: Microsoft ATR
Date: 1/17/02 5:47am
Subject: Microsoft settlement

To whom it may concern:

The proposed settlement advanced by the Department of Justice does nothing to remedy the effects of Microsoft's anti-competitive practices, and given Microsoft's track record with anti-trust litigation holds little hope of actually preventing Microsoft from continuing to illegally extend its monopoly. I am disappointed by the DoJ's decision to propose a settlement that leaves Microsoft still in possession of its ill-gotten gains, and still in a position to destroy the public benefit gained by the existence of innovative and competitive companies such as Palm Computing, Apple Computer, Netscape Communications, Novell, Borland, Lotus and many others who have suffered at the hands of Microsoft's illegal activities.

The only true remedy to Microsoft's practices is to require the company to publish the source code to its operating system products. This would immediately eliminate Microsoft's ability to illegally leverage its OS monopoly, and impose a financial penalty on the company that appropriately fits the crime. The resulting economic benefits and innovations that would come from having a competitive OS marketplace are compelling, and I urge the DoJ to consider them as it withdraws the proposed settlement and instead proposes one that is more acceptable to the public.

Sincerely,
Scott Forbes

MTC-00013289

From: simonmartin
To: Microsoft ATR
Date: 1/17/02 5:57am

Subject: Microsoft settlement

Sirs,

Please punish Microsoft in a meaningful way. The only thing they care about is maintaining their strangle hold on the industry. The only relevant punishment is therefore to either break the company up or regulate it *very* severely. A financial punishment is all very well as it will benefit some people in the very short term. In the long term something much more dramatic must be done. We are talking about a company which will stoop lower than anyone in their business tactics, breaks every industry standard ever set up and steals designs at the drop of a hat, they haven't had an original idea ever.

The computer is part of our future, we need you to make sure we get the best one possible. This won't happen if things continue the way they are in the long term.

Sincerely

Simon Martin

PGP KEY ID <0xFA69D420> @ <http://pgpkeys.mit.edu:11371/>

Note new email address:
<simonmartin@mail105.com>

MTC-00013290

From: Wjaym@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 6:09am
Subject: Microsoft Settlement
Attention Renata Hesse:
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax 202-616-9937
microsoft.atr@usdoj.gov
William Miller
1020 Sively Street
Hanover Township, PA 18706
wjaym@aol.com

I purchased a new Compaq Presario mobile computer with the Windows XP Home Edition operating system and I purchased Microsoft Office Small Business Edition. When I tried to activate this software, I was treated unfairly by a Microsoft technician. In addition, I had upgraded my older Presario Desktop Compaq computer with Microsoft Professional Office on it. I was given a hard time by Microsoft that claimed I had to many copies of the software. They did not take into account the fact that restores are made by clients which must be the problem. We need to have someone to appeal their decisions to when they choose not to activate our equipment and software. Furthermore, I am not even sure that this process is necessary except that the software says it will run 49 times and shut down. This is a very frustrating and unfair business practice in my opinion which has not been the way Microsoft used to do business. Please send me a reply that you read my e-mail and concerns about the activation process being implemented by Microsoft which takes away our rights of using our software. Thank you for considering my concerns and let me know if you have any questions about the above issue.

Warm Regards,
William Miller

CC:Wjaym@aol.com@inetgw

MTC-00013291

From: Brennan Young
To: Microsoft ATR
Date: 1/17/02 6:11am
Subject: Microsoft Settlement

Microsoft has complained that the settlement proposed by the non-settling states is 'punitive'. This implies that the initial proposed settlement is *not* punitive—that they don't see it as any kind of lesson, warning or punishment of or against their law-breaking activities over the last decades. Microsoft's most recent activities indicate that they have no intention of changing policy in regard to competition. The initial proposed settlement makes little provision for what will happen to Microsoft if they continue to abuse their monopoly, making it close to worthless.

Of course Microsoft should be punished. Microsoft are starving the national and international IT market of diversity and growth in the name of it's own proprietary 'innovations'. Microsoft should be treated punitively. They have broken the law and ruined the livelihoods of thousands of innovative companies. They should be obliged to produce their application software, fully supported and uncrippled, for non-Microsoft operating systems, and they should allow third-party developers the same opportunities to create software for Windows as their own developers have, they should absolutely not be allowed to use their desktop monopoly to leverage their position in the emerging handheld device and multimedia player market. Brennan Young

MTC-00013292

From: Michael 'Mickey' Sattler
To: Microsoft ATR
Date: 1/17/02 6:17am
Subject: Re: U.S. v. Microsoft:

Settlement Information Microsoft's recent licensing or purchase of SGI's 3-D patents makes it clear to me that this is still a company throwing its weight around in the never-ending goal of crushing any competing technologies, regardless of the impact to the end-user. (As an ex-GO employee and current user of OpenGL, Microsoft has been no friend of mine.) Please strive to place the most stringent and punitive remedies first. Having Microsoft get off by delivering more of it's poor-quality software is hardly a solution to the problem.

MTC-00013293

From: Marv Graham
To: Microsoft ATR
Date: 1/17/02 6:49am
Subject: Microsoft Settlement

I can not stand by a let those who are not inside the software "industry" as I am blather on about how Microsoft did not take any steps to suppress and/or eliminate competition.

OK, I'm a software techo-geek. I've been writing, using, and debugging software for 42 years. Most of those years were spent writing compilers, compiler building tools, and related utility programs like debuggers, linkers, and assemblers. In one of my previous jobs, we wanted to port a C compiler to the Windows environment. It

compiled code that ran twice as fast as that compiled by the latest and greatest Microsoft offering. Our problem was that we had to take heroic measures to test our compiled code. Why? Microsoft will not and will not release the specifications of the object code that their system supports—the format that their linker accepts and their libraries contain.

Other compiler teams have faced the same problem. Some with deeper pockets than ours reverse engineered the Microsoft object code formats. That worked fine until Microsoft "improved" the formats, requiring another round of reverse engineering. Eventually, most gave up—just as Microsoft intended. Who loses? Everyone who wants to create efficient programs to run in the Windows environment. First hand, that's not many of you, but second hand, as users of the programs that are available, that's most of you out there.

Oh sure, there's the example of Borland, who bit the bullet and created their own complete closed system with its own unique set of file formats and libraries. One counter example with very deep pockets. All of the others eventually have given up chasing a sequence of "new and improved" Microsoft secret file formats. I'm sure that there are those in other niches of the software world who can tell similar stories about the Microsoft predator. Let's hear them!

Then there's Windows, or is that Windoze? It is the most bug ridden, unstable, sophomoric, "designed" by trial and error, half-baked piece of crap that masquerades as "operating system" that I've seen in my 42 years in the industry. I could go on and tell you what I really think! Windoze usually hangs trying to shut itself down. Often, a crashing program destroys system information. One that I see a lot is that the ESCAPE key's meaning is altered. Guess what the "solution" is. Yep, yet another reboot. This on a machine that has hardware to protect the data of one program from all other programs! The "system" doesn't even protect its own vital data! It stores vital resource use information in fixed size 65,536 byte buffers. Program crashes often trash even them. Normal use overfills them.

As far as I'm concerned, UNIX is "the" operating system. OS/2 was great (after its initial teething problems) until Microsoft cut IBM off from the details of Windows 95 that they needed to be able to run the new generation of Microsoft tools—like Word and Excel. Denial of information necessary to competitors. Does that sound familiar? I say, break up Microsoft, and make the various parts tell the others and all aspiring competitors the details of the file formats and API's. How many pieces? At least three: Windows, Applications, and Development Tools.

Marv Graham
1000 Brookwood Circle
West Columbia, SC 29169-4004
803-926-3432

The American Republic will endure, until politicians realize they can bribe the people with their own money.—Alexis de Tocqueville "To compel a man to furnish funds for the propagation of ideas he disbelieves and abhors is sinful and

tyrannical." —Thomas Jefferson "Those who advocate more and more government regulation have been experimenting for 40 years, trying to create an economic system in which everyone can somehow be made more prosperous by the toil of someone else." —Ronald Reagan Ask not for what your country can force other people to do for you. "Tax cuts do not have to be justified. It's government spending that has to be justified."

Sheldon Richman, Washington Times
Aren't you glad you're not getting all the government you're paying for? Government's view of the economy could be summed up in a few short phrases: If it moves, tax it. If it keeps moving, regulate it. And if it stops moving, subsidize it.—Ronald Reagan (1986)

Gun control is not about guns; it's about control. The philosophy of gun control: Teenagers are roaring through town at 90 MPH, where the speed limit is 25. Your solution is to lower the speed limit to 20.

—SAM COHEN

Different Perspective On Militias
"We don't want to overthrow the government of the United States—because that has already happened. We simply want it back."

"Those who beat their swords into plowshares usually end up plowing for those who kept their swords."

—Ben Franklin

"They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety."

—Right-wing extremist Benjamin Franklin

"If stupidity got us into this mess, why can't it get us out?" —Will Rogers
If a Nation expects to be ignorant and free in a state of civilization, it expects what never was and never will be . . . If we are to guard against ignorance and remain free, it is the responsibility of every American to be informed." Thomas Jefferson

"The big problem in the long process of dumbing down the schools is that you can reach a point of no return. How are parents who never received a decent education themselves to recognize that their children are not getting a decent education?"

—Thomas Sowell

"Reason obeys itself; and ignorance does whatever is dictated to it."

—Thomas Paine

The whole aim of practical politics is to keep the populace alarmed—and thus clamorous to be led to safety—by menacing it with an endless series of hobgoblins, all of them imaginary."

—H.L. Mencken

"A lie is not, strictly speaking, the opposite of the truth; a lie will usually contain an element of truth. Perverted words are situated in a twisted vision that distorts the landscape; one is confronted with a myopic social and political philosophy."

—The Black Book of Communism (p. 19)

Who will protect the public when the police violate the law?

—Ramsey Clark

The Constitution wasn't perfect, but it was better than what we have now.

MTC-00013294

From: pshapiro@his.com@inetgw

To: Microsoft ATR
 Date: 1/17/02 6:54am
 Subject: microsoft settlement

ideas on an appropriate remedy in the microsoft case: since microsoft has muscled out so many small software companies, an appropriate remedy is to require microsoft to set aside \$5 billion to fund the emergence of 5000 new, small software companies. these 5000 new software companies will restore vital competition to the software industry—which has had an 800-pound gorilla sitting on top of it for far too many years. software innovation by small software companies has been smothered and the country needs to rekindle those flames of innovation.

since the damage done has been over a period of more than 10 years, microsoft ought to fund remediation of this damage for more than 10 years.

—phil shapiro
 arlington, virginia

MTC-00013296

From: Terence Crocker
 To: Microsoft ATR
 Date: 1/17/02 7:08am
 Subject: Microsoft Settlement

Hello,
 I believe this issue of Microsoft's recent settlement with the DOJ will be the most important issue that faces American life in the years to come. It would be difficult to communicate the differences that could occur if Microsoft were compelled to act in the best interests of American society, instead of in the narrow interests that their monopolistic interpretation of free enterprise has produced. Forcing Microsoft to release documentation that describes the API codes, with the exception of security

issues that would be monitored by the U.S. Government, seems a necessary first-step. The second step is much more difficult and that is allowing Microsoft to implement this release in its own fashion and on its own time schedule. Why? I believe that Microsoft must be allowed to operate in bad faith so that further, more Draconian measures can be applied in the case of flagrant non-compliance.

The final step is the monitoring of the Microsoft Monopoly over the Windows Operating System and the reduction of anti-competitive positions on the part of Microsoft. I believe that this will be accomplished by non-compliance by Microsoft of the settlement once enacted, and a much stricter enforcement by the U.S. Government, following the expected transgressions. Further, while I applaud the efforts of the State Attorney Generals of the dissenting nine states, I believe their efforts do not reflect the best interests of America, as a whole, but reflect the various constituencies' interests within those states. Microsoft must be allowed to decide how to treat their own self-inflicted wounds. Microsoft, alone, needs to determine their role in future events. Further, in light of the events of September 11th, I believe it behooves all citizens of the Western World to emphasize that security is an utmost serious matter and that our future safety should not be left to the whims of an unstructured Operating System marketplace.

My greatest fear is that Microsoft will be allowed to constrict the innovation in Operating Systems and drive OS development underground, leading to unforeseen consequences when further unanticipated OS refinements begin to appear. I take Bill Gates, et al, at their words that they can be relied upon to act as responsible citizens and loyal Americans. In fact, I believe we have no choice but to make that assumption. I note with some trepidation that the manufacturing of significantly sophisticated electronic hardware falls outside the purview of the U.S. Government. And those devices, given an alternative approach to Operating Systems, could prove disastrous to the American way of life.

Sincerely Yours,
 Terence Crocker
 Computing Scientist
 Canadian Citizen
 Age 48

MTC-00013297

From: WMEHLERS@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/17/02 7:37am
 Subject: Microsoft Settlement

Microsoft is in court as a repeat offender; the current antitrust suit, in which a federal district court and an appeals court have both affirmed that Microsoft is a monopoly and that it has abused its monopoly powers, arose out of the failure of a previous consent-decree settlement of an earlier antitrust case. At some point, having repeatedly violated the law, Microsoft needs to pay a price, or it will continue with its profitably anticompetitive ways.

Don't let Microsoft get away with breaking the law.

Marion Ehlers

MTC-00013298

From: NETL User
 To: Microsoft ATR
 Date: 1/17/02 7:59am
 Subject: Microsoft Settlement

Please stop wasting the Department of Justice's valuable time and the taxpayers far more valuable money on persecuting Microsoft Corporation. Having the Federal Government pester anyone about perpetuating a monopoly is akin to having Ted Kennedy scold somebody for bad driving—its downright hypocritical. If pleas against wastefulness aren't enough to move you, then please consider the fact that millions of citizens have their retirement money invested in Microsoft, and the specter of Federal lawsuits and penalties due to baseless anti-trust actions by the DOJ is needlessly devaluing their investments.

Robert Thompson
 Pittsburgh, PA

MTC-00013299

From: Lavon Madsen
 To: Microsoft Settlement
 Date: 1/17/02 6:52am
 Subject: Microsoft Settlement
 Lavon Madsen
 613 E Holland
 Minden, Ne 68959-2051
 January 17, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
 Lavon Madsen

MTC-00013300

From: Clayton Eller
 To: Microsoft Settlement
 Date: 1/17/02 7:05am
 Subject: Microsoft Settlement
 Clayton Eller
 6040 Lakeside Drive
 Lutz, FL 33558
 January 17, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Clayton Eller

MTC-00013301

From: don wilkinson
To: Microsoft Settlement
Date: 1/17/02 7:51am
Subject: Microsoft Settlement
don wilkinson
6631 apache run
theodore, al 36582
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
don wilkinson

MTC-00013302

From: John Sonstegard
To: Microsoft Settlement
Date: 1/17/02 6:33am
Subject: Microsoft Settlement
John Sonstegard
PO Box 282
Ipswich, SD 57451-0282
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

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Thank you for this opportunity to share my views.

Sincerely,
John R Sonstegard

MTC-00013303

From: Ronald Abbott
To: Microsoft Settlement
Date: 1/17/02 6:58am
Subject: Microsoft Settlement
Ronald Abbott
7607 13th AVE NW
Bradenton, FL 34209
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Ronald Abbott

MTC-00013304

From: Judy White
To: Microsoft Settlement
Date: 1/17/02 5:11am
Subject: Microsoft Settlement
Judy White
165 Brandon Lane
Fayetteville, GA 30214
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Judy C. White

MTC-00013305

From: Betsey Potter
To: Microsoft Settlement
Date: 1/17/02 7:56am
Subject: Microsoft Settlement
Betsey Potter
851 Saturn Street
Jupiter, FL 33477
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Betsey B Potter

MTC-00013306

From: William Potter
To: Microsoft Settlement
Date: 1/17/02 7:58am
Subject: Microsoft Settlement
William Potter
851 B Saturn St.
Jupiter, FL 33477
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
William Potter

MTC-00013307

From: Gary Shaw
To: Microsoft ATR
Date: 1/17/02 8:24am
Subject: Microsoft Settlement

Leave Microsoft alone and forget it!
America needs Corporate America to run without government interference! We need jobs out here!

Vicki Shaw
Houston, Texas

MTC-00013308

From: \$BKvB3??8g(B
To: Microsoft ATR
Date: 1/17/02 8:27am
Subject: Microsoft Settlement
Honorable,

It has come to my attention that Microsoft has recently acquired fundamental patents for 3D graphics technology and methods from SGI. This is ridiculous because it grants Microsoft significant leverage over the independent 3D hardware manufacturers who are currently supporting the only rival to Microsoft's Direct3D graphics API, OpenGL.

Microsoft has in the past worked to delay and distract advances in 3D graphics technology, such as in the abortive "Fahrenheit" plan with SGI in the 1990s. During that period, SGI was transitioning from selling UNIX-only workstations to begin selling workstations running Microsoft's Windows NT. At the same time, OpenGL was gaining on Microsoft's Direct3D in terms of features, hardware support, and developer support. If SGI wanted to sell NT boxes, SGI would have to agree to the Fahrenheit plan. The perfectly timed Fahrenheit deal slowed that advance of OpenGL by, among other things, reducing SGI's active promotion of it, and allowed Microsoft's Direct3D to gain a strong lead.

Yet OpenGL support still survived due to the interest of software developers and the support of third party 3D hardware manufacturers. This latest move by Microsoft to acquire core 3D technology patents would finish the hatchet job, granting Microsoft the power to force third party 3D hardware manufacturers to drop support for OpenGL, and ultimately stifle competition and innovation in the marketplace.

Please do not let this come to pass.

Thank you,
S Grill
Naha University, Okinawa
Director of 3D Department

MTC-00013309

From: Travis McGee
To: Microsoft ATR
Date: 1/17/02 8:31am
Subject: Microsoft Case
Hi Guys,

I am a registered Republican in Boston, VP. at Fidelity Investments. As a tax paying and informed citizen of this country, I want you to leave Microsoft "alone". They are the hardest working individuals I have ever seen. For those of you who have not dealt with Microsoft "competitor", talk is cheap and easy.

Microsoft is the flagship of our nation, our proud and joy and hell of a hope as we are facing tough economic conditions.

You can reach me anytime at 617.650.2233
Travis Goddard

MTC-00013310

From: WILLIAM DUNN
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/17/02 8:30am
Subject: Microsoft settlement

This E-Mail is to convey my sentiments regarding the Microsoft settlement. I believe that it is about time to end this suit. Dragging it out for years is counter productive. This type of action was taken against IBM years ago with no real solution. All that was accomplished was adding to the coffers of lawyers.

wdunn@xtld.com
CC: 'fin(a)mobilizationoffice.com'

MTC-00013311

From: Rick Bennett
To: Microsoft ATR
Date: 1/20/17 8:36am
Subject: Re: Microsoft Settlement

To whom it may concern,
As a US citizen who is concerned with preserving the freedom of "choice" among

products and services in our nation, I would like to add my following concerns regarding the Microsoft anti-trust case.

1. Microsoft, unlike auto makers, builds a proprietary car, using proprietary gas, and now they also want to own the road (internet)

2. The only real way to have the punishment fit the crime, is if Microsoft is forced to open up all of it's proprietary holdings so that the world can have real competition.

3. This would force them (as well as everyone else) to compete solely on the basis of the quality of their products. I guarantee that this would get their attention. The fundamental problem with the PC industry is that right now some very bright kids are hard at work inventing the next great computer idea either in hardware or software, but they also realize that it will never see the light of day because it is not Windows compatible, and Microsoft will find a very clever way to kill it.

This will also ensure the fact that you and I will be stuck using the lowest common denominator in the computer industry which is Microsoft mediocrity. The fairest judgment in this case would be to force Microsoft to write all of their applications to run native on all other competing platforms for the next decade. And if they want to donate computers to poor school districts then they have to purchase competitors equipment.

This would be fair. Microsoft illegally gained tons of market share, and so now they must be forced to give market share back!

Thanks
Rick Bennett

MTC-00013312

From: compu_help@
compuserve.com@inetgw
To: Microsoft ATR
Date: 1/17/02 8:35am
Subject: Microsoft Settlement

Microsoft has by their monopolistic power over desktop operating systems caused real damage to not only the shape of the marketplace by destroying competition.

The punitive aspects of the proposed settlement do nothing to remedy past infractions—and a total disregard for DOJ sanctions in the past—nor to correct them in the future.

Microsoft's destruction of the competition began with the introduction of Windows 3.1. At that time Microsoft did not hold the edge in office tools or development products.

Within 12 months of the introduction of Windows 3.1, Microsoft had secured the lead in not only operating systems (they controlled only about 95% of the desktops at that time), but also Word Processing products (you can name Microsoft Word—who's number two?) and software development tools (an awkwardly misnamed "Visual" C++). Part of the reason for this success was brought about developing their products to support Windows at the same time as they developed Windows—which did give them an edge. The greater reason was their terribly slow and gradual release of information about how to use and program in their operating environment, a licensing agreement that essentially meant that no matter who developed software, Microsoft would get a

percentage, and extensive use of hidden ("undocumented" in programming parlance) features in their operating system—some of which were specifically designed to disable competitors' products.

These practices have not decreased in pace or intensity.

The DOJ's investigations have clearly uncovered Microsoft's bullying of computer manufacturers to not only promote Microsoft's products, but also to eliminate competitors.

Microsoft has at the same time devoured most of the companies who at one time succeeded by providing software utilities to enhance the operating system. Where are the software backup companies that used to exist? Where are the compression and enhanced storage companies? Where are ALL the Windows utilities companies?

With the revenue stream from the operating system, Microsoft has been able to sell products at less than a market value to destroy their competition as well. This has clearly been the case with Internet browsers. Before Microsoft entered the market place, browser software sold for \$50.00. Now it's free—because Microsoft—whose browse was based on federally funded software—gave theirs away and continues to do so (the subject of another ignored Federal case).

The greatest testimony of Microsoft's crushing the competition is in the Office products arena. Name the number two desktop office suite. On the development side, Microsoft's dominance was so severe that they haven't had to upgrade their Visual Development Studio for 6 years (their last major release was 1996).

While the DOJ proposes sanctions, Microsoft has turned even them into victories. What about the "punishment" of distributing Microsoft free products to schools? What great marketing. Microsoft surely remembers, but the DOJ appears to be lacking a bit of historical perspective: Wasn't Apple prohibited from GIVING schools computers to further cement their market share in the 1980's?

Microsoft has mocked all the DOJ's settlements and punishments in the past, skating past the stupidity and lazy naivete of those working the case. This settlement appears to be more of the same. If the DOJ is to do anything at all, it should make Microsoft change it's practices: Break it up; force them to sell off their office products or development tools; award damages to those affected by past practices; prohibit them from selling products below a reasonable cost; get a bit more creative than the existing proposal which isn't even sufficient to be considered a hand slap.

MTC-00013313

From: Jay Colson
To: Microsoft ATR
Date: 1/17/02 8:37am
Subject: Microsoft Settlement
the proposed final judgement:

* Fails to reduce the application barrier to entry that Microsoft was found to have illegally protected;

* Fails to remedy the injury done to the Java – TM technology community;

* Fails to remedy the illegal injury that Microsoft was found to have done to Netscape Navigator and the browser market;

* Fails to curtail Microsoft's illegal bundling of middleware programs including browsers, media players, and instant messaging software into the monopoly Windows operating system;

* Is ambiguous and subject to manipulation by Microsoft because it lacks an effective enforcement mechanism. Always do sober what you said you'd do drunk.

Jay Colson/That will teach you to keep your mouth shut.

Fax 877.683.5042/
—Ernest Hemmingway

MTC-00013314

From: Adam C. McAlmont
To: Microsoft ATR
Date: 1/17/02 8:43am
Subject: Microsoft Settlement

To whom it may concern:

I feel that any settlement should not allow Microsoft to pay a penalty by donating it's technology. I feel it is completely out of step with a punishment—it would only help Microsoft expand it's dominance in other areas.

Any penalty should be paid in cash—an amount that would have a strong effect on the company. Possibly a restructuring and division of Microsofts assets may also be appropriate.

However, the solution that allows Microsoft to expand into education where another company is strong (Apple Computer) only helps Microsoft, and that is not good. That is awarding the lawbreaker and would be outrageous.

Thank you,
Adam C. McAlmont
P.O. Box 5537
St. Augustine, FL 32085
904-823-9682
mcalmont@mac.com

MTC-00013315

From: Jeff Gerst
To: 'microsoft.atr@usdoj.gov.'
Date: 1/17/02 8:47am
Subject: Microsoft Settlement

To whom it may concern—The Microsoft case needs to be dropped. It is important to have competition. There may be some individuals pushing to keep attacking Microsoft, but a large portion of attacks are coming from other companies that want to thwart anything that Microsoft does to assist their own companies.

JG

MTC-00013316

From: Feuer, Jared
To: 'microsoft.atr(a)usdoj.gov.'
Date: 1/17/02 8:54am
Subject: Microsoft Settlement

Hello,

Please make sure that any settlement reflects the need for Microsoft to open up their API (applications programming interface). This is the only true way to restore competition to software/operating systems development.

Best,
Jared Feuer
Arlington, VA

MTC-00013317

From: Bernhardt, Thomas
To: Microsoft ATR
Date: 1/17/02 9:04am
Subject: Microsoft Settlement

I think the whole case was a waste of my tax dollars and I am VERY upset . . . I am so tired of watching the US destroy the best and strongest companies so those that have no real product to sell can have a leg up at everyone's expense.

I do not see anyone going after Ford because all they offer is a Delco radio in their vehicles or maybe they should put 5 different vendor radios in their vehicles and let the consumer choose which one. . . .

AOL/Time Warner should be the ones with their heads on the block . . . are they not a "Monopoly" over the consumer ISP market . . . I get a new DVD from them every week offering free hours???? Their market base and revenue continue to grow. . . . so I would say they have NOT been affected negatively by Microsoft . . . matter of fact they wouldn't even be in existence had Microsoft not provided an Operating System for them to put their product on. . . . I think a lot of companies owe Microsoft an apology not a knife in the back. . . .

As far as Sun and Oracle . . . their CEO's should grow up and act their age instead of hounding the media for free publicity about "Poor little old me, Microsoft is squashing me" . . . we all know about the little old boy who cried wolf. . . .

sincerely
Thomas Bernhardt
AT&T Business Services
Networked Management Services
WK: (407) 829-4050
MB: (407) 463-2841
thbernhardt@att.com

MTC-00013318

From: Ted A Haubein
To: 'microsoft.atr@usdoj.gov'
Date: 1/17/02 9:05am
Subject: Microsoft settlement
24335 W 54th Street
Shawnee Mission, KS 66226
January 17, 2002
Attorney General John Ashcroft
UIS Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr Ashcroft:

I am writing this letter to address the recent agreement reached between Microsoft and the Department of Justice.

I am for the settlement, which allows Microsoft to get back to business. Microsoft is a good company, which provides jobs to thousands of people. Employment supports the waning computer industry and the economy generally I think the lawsuit was a political move from the onset. Microsoft is a very successful company, and very successful companies make their competitors jealous.

I understand the settlement was not easy on Microsoft. Microsoft has agreed to give computer manufacturers access to coding to configure Windows to easy accept non-Microsoft software programs that compete with programs included within Windows. They have agreed to on going monitoring by technical committee to assure compliance.

Microsoft has made many concessions in an effort to settle the suit quickly. Now is time to leave Microsoft alone. Let's get back to business. Approve the agreement between Microsoft and the Department of Justice.

Sincerely,
Ted Haubein

MTC-00013319

From: Brian Fennell
To: Microsoft ATR
Date: 1/17/02 9:02am
Subject: Microsoft Settlement
Dear Sirs,

It is of the utmost importance that the greatness by which our society has survived, prospered and revolutionized our modern world, continues today. I ask you—"where would we be today without Bill Gates and Microsoft?" Should a company be chastised, fined, bludgeoned by the weight of the federal government, strictly for desiring to build a better mousetrap and turn a buck?

We are a society of successful capitalists, not a study in socialism. Please leave the political rhetoric of the previous administration behind and do what is right for America, now more than ever.

Dismiss the case against Microsoft. Focus on what is right for America, and show the rest of the country and the world that it still pays to work hard and prosper in the greatest country in the world.

Sincerely,
Brian Fennell
1004 Hatch Street
Cincinnati, OH 45202
513-721-8185

MTC-00013320

From: Peter A. Weller
To: Microsoft ATR
Date: 1/17/02 9:03am
Subject: Microsoft settlement
I favor the settlement currently on the table.

Peter A. Weller
1398 Edgewood Dr.,
Holland, MI 49424

MTC-00013321

From: Frank Mosesso
To: Microsoft ATR
Date: 1/17/02 9:04am
Subject: Microsoft Settlement
To The Honorable Judge Colleen Kollar-Kotelly,

I am a user of the OS/2 operating system from IBM. I have found this to be a technologically superior product over the operating systems offered by Microsoft, including their latest version, Windows XP. Unfortunately, OS/2 has been in decline for a number of years from what I believe to be unfair monopolistic marketing tactics of Microsoft.

As a result, vendors of OS/2 related products have also diminished over the years. Contrary to arguments by Microsoft that their products encourage competition, I believe the opposite is true; that Microsoft's marketing practices actually discourages competition and stunts technological growth. Consequently, I do not believe the Federal Government's proposed settlement with Microsoft, in its current form, is adequate and that stricter measures be imposed on the

company to prohibit such tactics from being used in the future.

In other words, I agree with the States that are seeking stricter measures to be imposed on Microsoft and encourage you, for all our sakes, to implement them in your judgements against them. Please consider that if IBM's efforts can be marginalized when trying to compete against Microsoft's monopoly then who can?

Sincerely,
Frank D. Mosesso
4118 Inspiration Street
Schwensville, PA, 19473

MTC-00013322

From: Joanne Yakim
To: Microsoft ATR
Date: 1/17/02 9:08am
Subject: Microsoft Settlement
1611 Franklin Fields
Sewickley, Pennsylvania 15143
January 17, 2002

Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

As a Microsoft supporter, I am happy to hear that a settlement has been reached between the Department of Justice and Microsoft in regards to the antitrust case. After three years of legal action, this settlement has been long overdue. Microsoft has produced some of the most advanced technologies for its time and rather than impede its progress any longer, the government should accept this settlement and move forward onto more important matters.

In taking the best interest of the public and the industry into consideration, this settlement offers very reasonable and fair solutions. Microsoft's dedication to this settlement are already apparent in the recent release of Windows XP which is a program that demonstrates the way that Microsoft will make it easier to promote non-Microsoft software programs within Windows. In order to assure the court and the people that Microsoft is adhering to this agreement, the company has consented to the development of a three-person committee that will monitor the software company very closely. This is comforting in the sense that future violations will be prevented.

I feel that Microsoft is a great company and that it is time for progress to be reinitiated. Thank you for your time.

Sincerely,
Joanne I. Yakim
cc: Senator Rick Santorum

MTC-00013323

From: Jr.
To: Microsoft ATR
Date: 1/17/02 9:07am
Subject: Re: MacNN: The Macintosh News Network

I urge you to impose significantly more strict measures on Microsoft. This is their second time around the anti-trust issue. They have shown total disregard for the law and the courts. Their own suggested settlement to the class action suits is an example of this. They would like to give away free software,

their own, to schools. This is one of the only markets in which they do not already have a firm monopoly. This settlement, they know, would give them a push toward domination. After all, giving away software costs them almost nothing. Nothing more than the media it is stored on.

I have read others suggestions that MS be forced to open their Application Programming Interfaces to other companies to allow better integration of programs with the Windows OS. This seems like a drastic step, but a necessary one. As long as this company is not broken up into competing entities, constant supervision of it's actions will be necessary. Breaking up MS would benefit consumers in many ways. It would prevent MS from creating features in it's Office Suites and other programs which only work in their own OS. It would force them to create open standards in the Windows OS and create an environment where excellence in developing software is what sells. It would create options for consumers and result in improved products. What monopoly innovates without pressure from the marketplace? What monopoly provides excellent customer service? None. Just look at service from Cable TV companies as an example. They are a disaster. Only threat of government intervention precludes the system from becoming even worse. The result is a system which only provides just enough service to prevent the government stepping in.

In closing I would like you to know that I own MS stock which has been a great investment. However, I can not in good conscience I must stand up and speak out against the actions of Microsoft.

MTC-00013324

From: cj@wt6.usdoj.gov@inetgw
To: Microsoft ATR
Date: 1/17/02 9:15am
Subject: Monopolies lead to Mediocrity

I have been a part of the computer industry since 1979 and so have observed the rise of Microsoft firsthand and also suffered through its consequences. It has puzzled me over the years why business leaders approach IT technology differently than other aspects of their business. Where else would you ever rely on a single vendor. If I was commissioned to buy a piece of hardware, it was always "Get me three quotes". However, if we needed to purchase software, first it was "Buy IBM" and now it is "Buy Microsoft". Was it fear or ignorance of all things technical?

Now, America must compete on a global stage. Allowing Microsoft to dominate such a key industry leads only to high prices for consumers and mediocrity in the products provided by the monopoly. Our free enterprise system requires competition to survive. That is why we have monopoly laws. One can only speculate on the motives of the DOJ in agreeing to such a ridiculous settlement. The decision to split

Microsoft into two companies was clearly the right choice.

Cynthia Jeness

MTC-00013325

From: Eric

To: Microsoft ATR
 Date: 1/17/02 9:09am
 Subject: Microsoft Settlement

To whom it may concern;

As a long time developer—using Microsoft products—and computer enthusiast, I would like to say that any proposed action that does not include harsh punitive measures and very strict “go forward” conditions will not be satisfactory.

Microsoft has repeatedly leveraged its position on the desktop to force competitors out of the business. Many small companies have been purchased by Microsoft—and then never heard from again. Presumably to stifle the direction that the company was moving. Microsoft gave away “free” their Internet Explorer browser as part of the operating system, but in doing so, they ruined the browser market.

They have corrupted web standards in particular by adding in “gotchas”. I am a Web Developer and it is very painful to have to deal with multiple visions of “standards”. Due to Microsoft’s desktop control, anything written with general approved “standards” will frequently not work correctly in their browsers. Microsoft has made feeble attempts at working with approved W3C standards, but, in my estimation, only as a token gesture. Thus, in order to provide content to the millions of people on the internet which should be based on approved “standards”, one must take into account the MS browsers that will inevitably fail due to MS “standards” being the norm as MOST users will be using that browser.

I believe the whole concept is rather difficult to explain, but we have a company that is able to dictate with complete impunity the direction that any future software will take. That situation needs to be addressed and remedied with the same impunity.

Microsoft has ignored improving the state of its software and put the consumer in a very poor position. As we see on a very regular basis, Microsoft’s software is frequently very buggy, full of security holes, and in general something that would not be tolerated in any other market. Yet, currently there is no other widespread option. I personally have turned to Linux in an attempt to rid myself of the Microsoft “scourge”. But I am also a 20 year computer user with serious technical background—and still develop with Microsoft technologies for my employer. That is NOT to say that Linux will not be viable in the future, but currently it is not ready for mainstream. Could computer manufacturers put something else on their machines? The answer currently is a shaky “Yes”, but I believe only due to the current scrutiny that Microsoft is under. The moment the limelight turns elsewhere, Microsoft will heavily discourage and make it generally unprofitable for those manufacturers to choose any other path than that dictated by Microsoft—unless very closely monitored.

Software innovation has been stifled by the Microsoft dominance. As pointed out above, the software that they produce is not the epitome of reliability. If an auto manufacturer released a car that would fail with the regularity of Microsoft software, there would be horrible repercussions until that product

was withdrawn or re-engineered to reliable specifications. Yet we are subjected on a daily basis to software that is very poor. Why? They have no need to innovate or improve as their position is very secure. It has become rather routine for them to buy a company to rid itself of the competition that a startup company’s product may bring at maturity.

Prior efforts by the government to contain Microsoft have failed miserably. They are a very large company with huge cash reserves. The proposed settlement in which Microsoft gives away its operating system to public schools may sound like a grand gesture. In review, it is nothing more than yet another marketing ploy.

I cannot believe that our government, under the auspices of protecting the consumer, would be agreeable to allowing Microsoft to further spread its market share in a government sanctioned settlement such as the one proposed. This particular aspect of the settlement is an incredible miscarriage of justice and in no way protects any consumer—and actually adds to the existing problem by furthering their monopoly power.

Microsoft has shown itself to be monopolistic and predatory in the legal sense. In the “fairness” sense, it has shown itself even further lacking. Microsoft has used every opportunity, that, while legal is not “fair”, to control the market and subject users to current Microsoft whims and desires. They have created a situation where most people in the United States are currently paying them on a yearly basis to have access to the software that is a very important part of this nation’s operations. Worse, Microsoft is showing strong indications that this is to become worse rather than better. They are currently changing their licensing agreements which will cost even more than before to the consumer. Microsoft is obviously doing nothing to change their behavior by themselves. If left unchecked or with poor agreements such as the current proposed settlement, the monopoly and situation can only get worse.

We as a nation have spent millions directly on this case: we as businesses forced to use Microsoft software pay daily in ever-increasing costs of business; and finally, we as consumers pay for it on a daily basis with lost productivity waiting for crashes, software failures and general poor results using the substandard software that has become as necessary as electricity and water to us. The only solution for the end consumer at this point is to look to our government to step in and rectify this problem.

Level the playing field. Restore the competition to the software industry. Do not allow Microsoft to quietly snicker in the corner after they get the opportunity to hook hundreds of thousands of young users on Microsoft software. Reject the current proposal and draft one with some serious remedies. The monopoly must be broken decisively—not coddled or cajoled.

Cheers!

Eric Erickson
 112 Trailing Oak Trail
 Clayton, NC 27520

MTC-00013326

From: Chris Bucher

To: Microsoft ATR
 Date: 1/17/02 9:10am
 Subject: Microsoft settlement

To whom it may concern:

3Microsoft and other victims of antitrust prosecution are being punished for the same moral values that have helped make America the beacon of the world: hard work, creativity, achievement. The producers are being punished for their ability and success. Unlike the kings of the past and governments of the present, Microsoft has acquired its wealth, not by confiscation but by production ? by creating products that other people want to purchase.” Bill Gates ? no less than the poorest citizen ? has the right to his property and to the pursuit of his own happiness. He should not have to justify his profits by appealing to “the good of society” ? in a nation of free individuals, no one exists as a servant of others. Gates has a right to make as much money as he can by offering a product others may choose to buy. Microsoft has the right to set the terms under which it offers these products on the market ? products that would not exist if Microsoft had not created them.

The government assault on Microsoft is being pushed by many of Gates’s envy-driven competitors. Their only moral alternative is to create their own products and try to persuade the public to buy them. Instead ? unable to gain profits by voluntary means ? they have resorted to the Tonya Harding approach: if you can’t win fairly, then physically cripple your opponent. Supporters of antitrust prosecution contend that Microsoft is “anti-competitive” and in “restraint of trade.” The reverse is the case. It is the government, which ? by interfering in the marketplace ? is guilty of these charges. Competition includes the possibility of one company winning all the business, if customers buy its product exclusively. By trying to force Microsoft to promote the products of its competitors, such as including the Netscape Web browser in Windows, the government is interfering with the competitive process and is in restraint of trade (“trade” means voluntary exchange). Such a demand is akin to NBC being forced to run ads promoting CBS programs. Such demands on Microsoft are a violation of Bill Gates’s rights, the rights of Microsoft’s shareholders, and of the American ideals of justice, rights, and freedom.

MTC-00013327

From: Belltg@aol.com@inetgw

To: Microsoft ATR

Date: 1/17/02 9:10am

Subject: microsoft settlement

Dear Mr Ashcroft

I have been watching, listening and reading about the progress of the case and can only determine that Microsoft has benefited myself and others with there innovative software. If I had a vote in the matter, my vote would be pro Microsoft.

Tom Bell

Erdenheim, PA

MTC-00013328

From: Darcy Baston

To: Microsoft ATR

Date: 1/17/02 9:14am

Subject: Microsoft Settlement

Give the money to charity. In Africa, the equivalent of two trade towers of people die *EACH DAY* of hunger and HIV. Let the wealth of the west affect wonderous changes in the east. If Microsoft wants to be big enough to rule the world with its anticompetitive nature, let it be RESPONSIBLE for the world it inherits.

best wishes,
Darcy Baston
Chelmsford, ON
Canada

MTC-00013330

From: Apostolos Koutropoulos

To: Microsoft ATR

Date: 1/17/02 9:17am

Subject: Proposed microsoft settlement.

It has come to my attention that the U.S. government is asking the public for "advice" on the Microsoft Anti-trust case.

I am a computer science student, will be graduating next spring, and I have extensive experience with almost all computing platforms.

The problems with microsoft are numerous. What causes friction and causes this company to become monopolistic are two things in my view.

(1) Closed standards and file formats. Microsoft has products, like their Microsoft Office suite for instance, that use proprietary file formats that can only be viewed with Microsoft Office Products. That being the case, if someone e-mails me, or gives me a microsoft word document to read, I absolutely must have microsoft word! Microsoft should provide free viewers for their documents so that people are not forced to buy products that they dont need. Especially Microsoft Office which costs about \$500 USD.

Other companies, like Adobe, have done this. PDF for instance is a format by adobe widely used around the globe. People who wish to author works in PDF format may buy the product from adobe. People who just wish to view the documents sent to them, or downloaded from the internet need only go to adobe's site and download a *free* viewer.

(2) The second thing that makes microsoft a monopoly is the fact that "PC" buyers do not have an option as to what operating system comes with their computer. Computers come "preinstalled" with windows, and the consumer has no say in it. They *must* pay for the price of windows when they buy a new computer even if they do not want it! This seems to me like extortion!

Users should be able to pick any operating system they want to go with their computer, so computers of the intel (or intel compatible chip) kind must not come preinstalled with windows in order to give the consumer choice! Most consumers like myself window-shop, they compare prices, and features, and the bells-and-whistles of a product before they buy. If they have a choice between Windows (Which costs about \$200, \$300 if you choose the professional version), linux (which costs about \$70) which comes with a lot of extras, or other operating systems that are free, or cost less than \$200 and offer more than windows offers, people will go with

what is sensible to their wallet and their productivity.

Let the consumer choose and not be hijacked by microsoft tactics.

Thank you for your time and your consideration.

Apostolos Koutropoulos

MTC-00013331

From: Jeff Cooper

To: Microsoft ATR

Date: 1/17/02 9:28am

Subject: Microsoft Settlement

Nothing short of breaking up the company will resolve the predatory practices of this monopoly.

They are stifling innovation and their shoddy products are crippling our productivity. Please break them up!

MTC-00013332

From: Ray Drainville / Argument from Design

To: Microsoft ATR

Date: 1/17/02 9:34am

Subject: Microsoft Settlement

Hello,

I'm against the proposed settlement as it stands. Giving MS a way into the academic sector is just handing them another market—one of the few left, incidentally, in which they have stiff competition.

I urge the breakup of the company into at least two parts.

Best,

Ray Drainville

US Citizen living overseas

Argument from Design-Web & Multimedia

ray@ardes.com √ <http://www.ardes.com>

MTC-00013333

From: the—splash@compuserve.com@inetgw

To: Microsoft ATR

Date: 1/17/02 9:35am

Subject: Settlement

Would recommend that all states be made to accept settlement offer.

Libbie and Bob DeRose

The—splash@Compuserve.com

(803) 366-2573

MTC-00013334

From: Mark Christensen

To: 'microsoft.atr(a)usdoj.gov'

Date: 1/17/02 9:35am

Subject: Microsoft Settlement

A developer for Windows and Unix based operating systems, I have a firm admiration for the Windows API, but I will always have to play second fiddle to Microsoft, because they have not published the API in detail. On the other hand the API's underlying a basic Unix operating system are not only widely know, but there are a dozen or more operating systems which use the same API, and which can run the same programs (once they are recompiled) thanks to the POSIX standard. These operating systems compete based on a wide variety of features including stability, added functionality, and price. The same should be true in the desktop OS space which is dominated by Microsoft, and that is why Microsoft should be required to publish in full detail the Windows API, and an independent code review should be done on major applications produced by Microsoft to show that they are not using any undocumented system calls. Beyond that,

opening up the file formats for Microsoft Office would do a great deal to allow users to take their data with them, if they do at some point choose to use another operating system at some time in the future.

Yours

Mark Christensen

Network Administrator

Humantech, Inc

Ann Arbor MI 48108

MTC-00013335

From: kmr@wmlblair.com@inetgw

To: Microsoft ATR

Date: 1/17/02 9:38am

Subject: Microsoft Settlement

The government should leave Microsoft alone. On the charges that it undercut competitors prices yet gouged consumers—does that really make sense. Personally, I didn't happen to notice an increase in their software products. (and if there was over the years I thought it would be due to improvements in the products because of upgrades) I don't see what's wrong in having a standard on a computer or allowing a browser to be connected—it makes things easier when a lot of people don't even know how to navigate around their desktop. This started with the Clinton Administration—they went after the wrong enemy.

A prosperous company that created jobs for many people and they ignored the threat of terrorism. We should THANK GOD that people like Bill Gates exist, it makes this country great and Innovative

CC:kmr@wmlblair.com@inetgw

MTC-00013337

From: Thomas R. Mertz

To: Microsoft ATR

Date: 1/17/02 9:46am

Subject: Attorney General's Letter.

Dear Sir, I have webtv with MSN Search Engine. The attachment will not come through my Web Tv. If you will Email the letter, rather than the attachment, I can proceed.

Thank You,

Thom Mertz

MTC-00013339

From: David Barto

To: Microsoft

ATR,barto@visionpro.com@inetgw

Date: 1/17/02 9:54am

Subject: Microsoft Settlement

An article posted on line at <http://salon.com/tech/col/rose/2002/01/16/competition/index1.html> gives a good suggestion and valid reasons to force microsoft to open up and document the Application Programming Interface (API) for windows. This can be summarized as: competition. If microsoft were forced to release the API for others to study and understand, Microsoft would lose nothing. They would still have years of lead time in bringing products to market. However they would have to be aware that others would now be able to support software which was originally tied to the windows operating system on other systems. Linux would probably be the first with a compatible API to allow windows code to be executed in another operating system. This would allow end users to choose between windows and

linux as the 'core' operating system while still using the software they know and love. Office, Excel and other programs, coded to the public and published API would execute anywhere the API is supported.

Microsoft wins, because MORE people would write software which could be run on windows. Further, microsoft wins because if the API was supported in other operating systems (MacOS X, Linux, Solaris) then people would be more likely to purchase Office, Excel, Microsoft Flight Simulator, and other software written by microsoft, since it now runs on their OS, and the current wide spread use of these programs ensures that they are the 'business standard' which everyone would want.

The end user wins because they now have choice about which operating system they want to use. If they want a free operating system (Linux) to lower their cost of computing, with no support, they can do that and still run the microsoft programs that they want or need to run. If they want a supported operating system (windows) to ensure that they have something which will work, then they can pay for it.

The government wins because competition is restored to the market place. To allow microsoft off with anything less would be to repeat past mistakes and allow microsoft to continue to monopolize the personal computing landscape.

David Bartobarto@ucsd.
edubarto@visionpro.com

MTC-00013340

From: Pat Egger
To: Microsoft ATR
Date: 1/17/02 10:07am
Subject: Microsoft Anti-Trust Comment
(Tunney Act)

Dear US Government:

Please inform the Judge in the Microsoft anti-trust case that I feel the settlement is fair, and the nine States that are fighting it should be forced to abide by the settlement.

Having software that can interface smoothly is key to the productivity of the nation. I remember 10 years ago when there were so many mix matched programs being used that it could take literally hours just to convert e-mail attachments (if at all) to formats that were common so business could flow smoothly. All I have seen is allot of bang for the buck with regard to the Microsoft software, and a weeding out of the programs that the mass majority of consumers did not want.

Please get this resolved soon so a big component of our economy is not further hamstrung with posturing and politics by those holdout States.

Thank you for taking my comments into consideration when ruling on this case.

Sincerely,
Patrick S. Egger
Wasilla, Alaska

MTC-00013341

From: Patrick Sheehan
To: Microsoft ATR
Date: 1/17/02 10:09am
Subject: Microsoft Settlement

My one thought is that Microsoft be ordered to expend some amount of its capital

to either purchase and distribute competitor's products or advertising time/space for such products.

Four competitors seem to have been (and continue to be) most strongly impacted by Microsoft's actions and they are: America Online, Apple Computer, Oracle, and Sun Microsystems.

Thank you for your time,
Patrick Sheehan

MTC-00013342

From: david—cespedes@i-o.com@inetgw
To: Microsoft ATR
Date: 1/17/02 10:09am
Subject: Microsoft Settlement

As an engineer and software developer with over 12 years of experience I had the opportunity to work with many products from several competing companies. In all these years I have found that Microsoft has being the most open to providing user information, the most cost effective and the only one truly committed to preserving the end users invested value on their product. As an example, I would like to point out over the past 5 years several competitors of Microsoft (i.e. Sun, Apple) have chosen incorporate new technologies or products which in turn are completely incompatible with their older versions and have truly forced their customers into upgrade paths with disregards to the cost inquired by their users. Microsoft has never had this philosophy which in is why I have become a very satisfied customer.

I truly believe that this whole exercise in futility has only help to enhance Lawyer's careers and has being an attempt to preserve the status quo of a few technology companies who believe that they are owe a particular market segment.

Thank you
David A. Cispedes M
Staff Engineer—Software
CC:david—cespedes@i-o.com@inetgw

MTC-00013343

From: atg(a)pobox.com
To: Microsoft ATR
Date: 1/17/02 10:10am
Subject: Microsoft Settlement—Just say NO!!!
DOJ,

Microsoft must pay for it's monopolistic practices.

The market MUST be leveled and protection given to competitors or Microsoft will continue to abuse it's monopoly.

The US Government MUST fulfill it's duty to the people of the United States and not to campaign contributors. The people of the US do NOT want a monopoly to exist no matter what the President or the Attorney General say. This settlement is NOT good for the American people (or the world for that matter) no matter what anyone says. The only people who want a settlement that benefits Microsoft are those who would benefit from such a settlement. Do the math and see for yourself what the answer is.

The DOJ MUST punish Microsoft for it's abuses and put in place remedies that will ensure a fair environment for other software manufacturers. If this means that Microsoft must forfeit intellectual property, then so be it. They have been judged guilty, then like

any other criminal enterprise, they must pay a price for their crimes.

If the DOJ does not punish Microsoft and establish efficient protections for other software makers, then the DOJ will have failed the American people just as surely as it's Attorney General already has.

Do not fail us this time.

Break Microsoft apart.

MTC-00013344

From: Paul Bruneau
To: Microsoft ATR
Date: 1/17/02 10:10am
Subject: Microsoft Settlement

Public comment regarding the Microsoft Settlement under the Tunney Act: A company is found guilty of breaking the law regarding their monopoly. For "punishment" they are supposed to donate their own product to one of the only markets where they do not have a monopoly (which was gained through illegal methods). How is this justice?

The harm done to Microsoft's competitors (and to the public via monopoly pricing and lost competition) cannot be undone. But the only way to reduce future harm (caused by their monopoly) is to divide the company so that the operating system is produced by a separate company than applications. In this way, the bundling that Microsoft has done so many times in the past to promote its weak products can be stopped and real competition can come back to the software industry.

Looking at what happened to Netscape, who at one time had a superior product with 80% market share, then saw it sapped away because Microsoft forced computer makers to pre-install Internet Explorer if they wanted to be sold Windows, how can anyone doubt the harm that Microsoft has caused through its practices?

Paul Bruneau
1918 Greenbriar Dr.
Portage, MI 49024
IT Manager by trade

MTC-00013345

From: Justin M. Friel
To: Microsoft ATR
Date: 1/17/02 10:12am
Subject: Microsoft Settlement

After reviewing the proposed final settlement, I feel that is far too lenient.

As an IT professional, it is my belief that Microsoft has been strangling the rate of growth of technology for too long, this affects how well we, as administrators and developers can perform and, in turn, how well businesses themselves can perform.

the judgment should be far more severe.

MTC-00013346

From: Nils-Erik Thorell
To: 'Microsoft.atr(a)usdoj.gov'
Date: 1/17/02 10:13am
Subject: Microsoft Settlement

My comments on the Microsoft Settlement The computer and software business is very different from normal consumer goods businesses. For example, with gasoline, it doesn't matter which brand you buy. But in the computer business it is extremely important to be compatible with existing software. That is why the consumer doesn't

want ten different operating systems. The price of the operating system and other software is relatively irrelevant, compared to the education cost.

That is why customers tend to purchase software from the dominant player in the field. We don't want installation problems and re-training costs. I would guess that the cost for training is more than ten times the cost of the software itself. In other words, the cost of the software purchase is insignificant for most companies. It was different in the early eithies, when the purchase price was ten times higher! (Vax hardware and software). So, for the average company, the so called monopoly is actually good for the economy. The consumer himself, chooses the dominating standard. It have tried to switch to Linux and MacIntosh, but it is so hard to learn from scratch.

I think the economic boom of the nineties, was caused by the expensive standard software created by Microsoft. The economic boom didn't end until there was a threat to damage and split Microsoft. So, law suite against Microsoft has done more damage to the consumer, than Microsoft has done to the consumer.

That is my honest opinion.
Nils Thorell

MTC-00013347

From: Michael Locke
To: Microsoft ATR
Date: 1/17/02 10:13am
Subject: Microsoft Settlement

I'm tired of seeing Microsoft bully everyone around. I'm tired of hearing Bill Gates say that they need the "freedom to innovate". When was the last time Microsoft "innovated" anything? Microsoft needs to be sent a message.

MTC-00013348

From: Ron Anderson
To: Microsoft ATR
Date: 1/17/02 10:19am
Subject: Microsoft Settlement

Hi: Just wanted to comment that I think Microsoft will benefit from the current ruling as they will now have a "government blessed" path into a market that has typically not been a Microsoft monopoly. (Education) A better solution might be for Microsoft to be forced to buy a competitor's product, such as more Apple computers, and supply them to the Education market. That process would actually create a more competitive market! The way it now stands, schools, which normally have low budgets, will see the option of "free" computers and software from Microsoft or to have to spend money to buy competitors products. Which do you think most schools will choose and how can Microsoft really be "hurt" by "seeding" a foundation of even more kids learning on Microsoft products.

Ron Anderson

MTC-00013349

From: daVe
To: Microsoft ATR
Date: 1/17/02 10:21am
Subject: Microsoft Settlement

I use, and am satisfied with the products of Microsoft Corporation. However, a monopoly is a monopoly.

There is no mistaking that Microsoft Corporation have no effective competition in the software market (Operating Systems in particular). As Scott Rosenberg has clearly pointed out in an article which can be found at <http://www.salon.com/tech/col/rose/2002/01/16/competition/index.html>, without Microsofts APIs documented, there can't and won't be competition. This monopoly, this clear breach of Law cannot go without action. If the Anti-trust laws are to be upheld then Microsofts APIs and file formats must be fully standardized, documented and published. Market competition is the spirit of the freeworld.

God's Will be done.

daVe —

MTC-00013350

From: Mike Moore
To: Microsoft ATR
Date: 1/17/02 10:22am
Subject: Microsoft Settlement

To whom it may concern:

Microsoft is a monopoly. End of story. Their new operating system is more restrictive to competition than any other operating system in history. To say that this settlement is anything other than a complete cave to the Microsoft juggernaut is a face saving move.

DO NOT LET THIS GO THROUGH. START THE SAME PROCESS WITH XP.

Thanks for your time,
Mike Moore
Staff Software engineer

MTC-00013351

From: Bill Liedtke
To: Microsoft ATR
Date: 1/17/02 10:27am
Subject: THE MICROSOFT CASE
To: Department of Justice
From: William P. Liedtke, Attorney

This memo is public comment about the Microsoft Litigation. The Microsoft Litigation should be settled. The terms are fair. All states and parties excluded from the settlement should be brought in by this Court—to avoid a multiplicity of litigation.

As seen in today's Cleveland Plain Dealer, Microsoft will now focus much of its resources on security. Security is to assist all who have Microsoft products.

Get this Microsoft litigation behind us, or it will look like every time a company is successful, the government has to step in, to pull such company down in some manner.

The goal of protracted litigation is damage to the defendant, through the costs of such defense. Here we have the limitless assets of the U. S. government against one company for years of litigation. If such was your goal it has been achieved.

If the goal was to get Bill Gates out of the day to day running of the corporation, such goal has been achieved.

If the goal was to publicly humiliate and bring to public attention one company that was too successful, such goal has been achieved. The goal of public litigation should be clear, spelled out for the defendant and for members of the public at large who pay for such litigation. No one knows the government goals at this time, as all the original goals have been achieved.

Enough is enough. As a fair and impartial Court would say, "Would the attorney for the government please move on."

William P. Liedtke, Attorney

MTC-00013352

From: Russell Branton
To: Microsoft ATR
Date: 1/17/02 10:28am
Subject: Microsoft Settlement
Letters to Attorney General and Sen. Santorum sent 1/17/02.

MTC-00013353

From: nathaniel adam
To: Microsoft ATR
Date: 1/17/02 10:30am
Subject: Microsoft Settlement
Honorable,

It has come to my attention that Microsoft has recently acquired fundamental patents for 3D graphics technology and techniques from SGI. This is a dangerous situation, as it grants Microsoft significant leverage over the independent 3D hardware manufacturers who are currently supporting the only rival to Microsoft's Direct3D graphics API, OpenGL.

Microsoft has in the past worked to delay and distract advances in 3D graphics technology, such as in the abortive "Fahrenheit" plan with SGI in the 1990s. During that period, SGI was transitioning from selling Unix-only workstations to begin selling workstations running Microsoft's Windows NT. At the same time, OpenGL was gaining on Microsoft's Direct3D in terms of features, hardware support, and developer support. If SGI wanted to sell NT boxes, SGI would have to agree to the Fahrenheit plan. The perfectly timed Fahrenheit deal slowed that advance of OpenGL by, among other things, reducing SGI's active promotion of it, and allowed Microsoft's Direct3D to gain a strong lead.

Yet OpenGL support still survived due to the interest of software developers and the support of third party 3D hardware manufacturers. This latest move by Microsoft to acquire core 3D technology patents would finish the hatchet job, granting Microsoft the power to force third party 3D hardware manufacturers to drop support for OpenGL, and ultimately stifle competition and innovation in the marketplace.

Please do not let this come to pass.

Thank you,
Nathaniel Adam
Student

I know this is a copy of a letter, but it summed up things so nicely.

MTC-00013354

From: GlennSedgwick@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 10:30am
Subject: Microsoft Settlement

I am disgusted with the entire trial of Microsoft by the Federal Government, and by the states. This entire matter is politically inspired, and fostered by competitors that could not compete. Microsoft Corp. is the one company that is successful world-wide, and which offers products and services that the entire world needs and desires. To have our own politicians and courts attempt to destroy it with a "feeding frenzy" is ludicrous, and

will only cause the European regulators to follow suit. I have purchased, and will continue to purchase software for use with my Windows program, and I am thankful that Microsoft has made it possible for some uniformity to exist in this important industry. I am thankful that Bill Gates and Microsoft exists, and that it is a United States corporation, rather than Japanese or European.

Every competitor would like to see their competition slowed down, or destroyed, and it is sad for consumers to see that the politicians, and even the courts, can make these losers, the selfish businessmen, the winners. Let the settlement stand. Microsoft has already been attacked beyond any degree of fairness.

The Telecommunications Industry is in chaos, largely the result of political and legal interventions; please do not do the same to leading companies in all other industries, and specifically, Microsoft.

Glenn W. Sedgwick

MTC-00013355

From: Tom Byers
To: Microsoft ATR
Date: 1/17/02 10:29am
Subject: Make Them Pay

Microsoft has taken a good stand in talking about \$1 Billion to education. They should be forced to donate the money in cash, not goods. Why give them another inroad into a market which they can monopolize. If money is provided, the local school can have a choice on how to spend it and THEY can choose Intel or Apple, not Microsoft. Don't harm free enterprise any further by granting Microsoft the means to get out from under its obligation by providing less than state of the art computers and accessories to schools that will be locked into staying with the same software and hardware vendor.

Thank You
Tom Byers
St. Louis

MTC-00013356

From: The Allbee's
To: Microsoft ATR
Date: 1/17/02 1:22pm
Subject: Anti-trust

I don't see how the courts can continue to let Microsoft get away with this HUGE monopoly. Its been going on for so long, isn't it about time to stop it.

Mike Allbee

MTC-00013358

From: Andrew K. Martin
To: Microsoft ATR
Date: 1/17/02 10:51am
Subject: Microsoft Settlement

I would like to submit comments on the Microsoft Settlement issue. As a computer professional of fourteen years and a hobbyist prior to that, I have seen the age of the PC since its beginning. I have been able to witness the advances that have been made and the changes that have occurred in the marketplace. One can hardly have seen these times and not know that something is very, very wrong. It is a principal tenet of capitalism that competition benefits both the marketplace and the consumer. Having twice been declared a monopoly and those findings

having been repeatedly upheld, we must ask ourselves whether we are strong enough to stand by our beliefs.

Status quo is easy; it is comfortable. And it is human nature to seek that where chaos would otherwise be the case. And that is what the Microsoft monopoly has given consumers.

Take, for example, the last four upgrade cycles of the Microsoft Office suite: Office 95, 97, 2000, and XP. Encompassing six years there has been insignificant change except once when they changed their file formats, presumably to break WordPerfect's ability to read and write Microsoft file formats. Even now, would-be competitors struggle with the state of lock-in that Microsoft enjoys. Companies and individuals who would choose to use other software are prevented by this simple phrase, "Please send your resume in Word format."

Take another example, Microsoft IIS. This is widely known to be the buggiest, most insecure web platform available. Combined with their Internet Explorer and Outlook applications, this triumvirate of vulnerability has cost companies by most estimates billions of dollars. Repeatedly new exploits and viruses come to light and repeatedly companies and individuals are forced to react, spending time and money just to protect themselves from these threats or risk losing data, time, and money to an attack. This has cost Americans billions of dollars; that is billions of dollars out of our economy, out of our pockets. How can one company be allowed to exercise its whim in the marketplace while releasing software that causes as many problems as it solves? How can one company be allowed to impose their negligence, irresponsibility, and outright greed upon the American people before the government will interpose itself with the force of law to put an end to it?

And let us examine Microsoft's strategy with the Java platform. Its first strategy was to attempt to hijack it to make it another Microsoft platform. When they lost the court case they took another route: drop Java support and release their own imitation. (C# is designed to mimic Java on many levels with the obvious strategy of luring Java developers to the Microsoft platform.) Java is a technology that has benefited consumers greatly. It has enhanced the internet experience with Java applets that add functionality to web pages. It has enhanced the ability of content and service providers to serve up dynamic content.

Yet with Microsoft's latest release of Windows and with its last two releases of Internet Explorer, it has intentionally stopped shipping a Java Virtual Machine, even the one they are still allowed to by the terms of the court case. Who suffers? Consumers who are unable to browse hundreds of thousands of web sites that utilize this technology.

When these are combined with the forced distribution that Microsoft enjoys through its OEM licenses computer buyers are forced to buy Microsoft software whether they want to or not; whether they use it or not. Microsoft has spent millions of dollars marketing against computers sold without an operating system despite the availability of free, open

operating systems such as FreeBSD. I am a user of alternative operating systems yet when I call Dell and ask to purchase a computer without any Microsoft software, what do they tell me? "I'm sorry, we cannot sell you a computer like that." Forget asking for another operating system.

And Microsoft still tries to maintain this same behavior under more insidious guises: As a settlement to the class action lawsuits brought against them they have proposed giving their software to schools. Why is this a problem? First, this has been the primary market of their main competitor, Apple Computers, for the past fifteen years. This would give them government-granted privilege to force themselves into another market where they could then benefit from lock-in since those schools will have neither the funds nor the expertise to change once locked in to the Microsoft platform. This is a very recent example that Microsoft has not changed its ways, but rather is still constantly seeking unfair advantage in a market it already dominates.

Myself and hundreds others like myself could write pages—volumes—on this topic. The message would be the same. Microsoft has proven itself unable and/or unwilling to restrain its behavior in the marketplace. Therefore it is time for serious government interposition. Another slap on the wrist will not solve the problem. Microsoft has proven with the previous consent decree that they defied that they will not abide the terms of any behavior modification agreements. They have billions of dollars on hand—any financial penalty would be a buy-off.

The only answer is to assert a penalty over the very thing they have abused to gain and maintain their monopoly: their intellectual property. Microsoft should be forced to open up all of its APIs and file formats prior to new releases of software that utilizes them. These should be made available on public web servers that impose no access control or logging facility. Microsoft should be restricted from making changes to these specifications without providing free and public notice a fair period of time in advance of the release of said changes. This should be audited by a government-selected third-party review board who must clear any release of Microsoft software, and in case of violation, an immediate injunction on the release of the violating software must be imposed. Only in such a situation will Microsoft be forced to compete fairly once again.

While Microsoft would of course object strongly to being forced to make available its proprietary knowledge, I would make two points. First, Microsoft is a repeat-offender and must be dealt with more harshly than a first-time offender. Second, this suggestion does not require Microsoft to reveal how they implement those APIs and file formats, any would-be competitors will still be faced with the challenge of implementing those themselves. All this does is provide an opportunity. I hope these suggestions will be given careful consideration and I hope the importance of this remedy be given serious reflection before yielding to a powerful corporation. It is, after all, We the People, not the corporations who the Constitution was designed to protect; and that should be of the utmost importance in such affairs.

Sincerely,
 Andrew K. Martin
 Citizen, Voter, Father, and CTO of a small
 software company

MTC-00013359

From: Jeff Krukin
 To: Microsoft ATR
 Date: 1/17/02 10:38am
 Subject: Microsoft Settlement

Clear Day I am delighted that US District Judge Motz rejected Microsoft's offer to donate pc's and software to schools as part of its settlement. This plays right into Microsoft's hands, allowing them to extend their Windows monopoly to one of the few markets not yet controlled by Microsoft. I work in the Information Technology sector and have used Microsoft products for almost twenty years. I've used Windows from the days of its 16-bit, Version 2.0 incarnation. While the product has steadily improved in function and reliability, it still is not rock solid. Windows XP, the latest version, has significant security flaws. For both businesses and individuals alike, every version of Windows has been a constant source of problems and frustration. In industries where companies face competition, their products do not survive for so long because another company soon provides a superior product. Consider the American and Japanese auto industries. Windows survives because of Microsoft's incredible power to coerce pc manufacturers to pre-install Windows on every pc they sell. This creates very difficult obstacles for any competitive pc operating system. Windows should be considered an infrastructure commodity, much like gasoline, electricity, or the telephone dial-tone. Consumers can choose from many vendors when they purchase gasoline, but the function provided is always the same and it's a stable product. Not so with Windows. The vendors of electricity and dial-tone create and sell their products within semi-regulated markets, which provides some level of consumer protection (how much is a long debate for another time) while providing a stable product. Not so with Windows. Gasoline, electricity, and dial-tone support an economy by allowing many products created by many companies to use the same vital infrastructure. The gasoline infrastructure is stabilized by competition and the electricity and dial-tone infrastructures are stabilized by regulation, thus providing a solid foundation for the diversity of products requiring these infrastructures. Not with Windows. Microsoft is not regulated like the electric and phone utilities, nor is it faced with competition in the desktop operating system market. Thus we have a jittery product in Windows.

I do not wish to see Microsoft regulated like a utility, yet Windows must become a commodity. The Dept. of Justice settlement should force Microsoft to make Windows source code freely available so other software vendors can improve and sell Windows.

Thank you.
 Jeff Krukin
 "Let us dare to read, think, speak, and write."

— John Adams

"It is not necessary to change. Survival is not mandatory."

— W. Edwards Deming

MTC-00013360

From: Will Cashman
 To: Microsoft ATR
 Date: 1/17/02 10:41am
 Subject: Tunney Act Comments

Dear Sirs,
 With regards to the pending case against Microsoft, I must say that I have strong reservations about punishing a company that builds a better "mousetrap". I do understand the issues related to some actions undertaken by Microsoft, however, I feel that there are better ways to deal with these issues and any consideration of a break up does not solve these issues. For instance, I would rather see the removal of EULA and the blocking any attempts to produce a block of the installation of their product in multiple computers. The idea of purchasing a product from a retailer, in which, your purchase does not entail the actual Windows disk does trouble me. The forcing of an individual to purchase to licenses for more than one computer in one's home does present a potential harm to the consumer greater than if a company provides supplemental products, such as Microsoft Office. I would prefer that Microsoft was left as is, and a greater look was taken into the practices that may provide a direct harm to the American consumers.

Thank you,
 William H. Cashman
 1419 Fuller Ave NE
 Grand Rapids, MI 49505

MTC-00013361

From: RHMH3@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/17/02 10:44am
 Subject: Fwd: Microsoft Settlement

Sirs
 This email concerns the Microsoft Settlement: It is true that Microsoft has dominated the PC operating system for the past ten (10) years and has dictated to other software providers the how's, when's, where's and to what extent their product can interface with the windows operating system. However, by directing and setting an industry standard that allowed persons without extensive computer background to operate many different software programs. Because of this commonality (Microsoft Windows) that all other software providers had to adhere to the American Business Productivity has almost doubled. Every business decision taken by Microsoft has resulted in bringing the world closer and more efficient.

There is soon coming a time where we will be able to talk to the computer vs. typing (like I am doing) information to the extent that the PC will be almost an artificial intelligent agent for us to utilize. Microsoft will have had it day and sail along into history, but not now!!!! The decision reached I feel is just and the Justice Department can far better utilize their assets than watch and hope to catch Microsoft with their pants down. We need an Industry Standard! and Microsoft is it. The findings from the Court of Appeals is tough but it also fair and good for America. Our foreign friends are waiting

in the wings just hoping that we (USA) will weaken our competitive position by breaking up Microsoft.

Please hold to the latest decision and let's get America going again.

R.W. Howard

MTC-00013362

From: Joseph Bast
 To: Microsoft ATR
 Date: 1/17/02 10:44am
 Subject: Microsoft Settlement
 January 17, 2002
 Ms. Renata B. Hesse
 Antitrust Division
 U.S. Department of Justice
 601 D Street NW, Suite 1200
 Washington, DC 20530-0001
 SUBJECT: Microsoft Settlement

Dear Ms. Hesse:
 I am writing to urge acceptance of the proposed Final Judgment offered by the U.S. Department of Justice and endorsed by nine state attorneys general to resolve the antitrust case against Microsoft Corporation. I am president and CEO of The Heartland Institute, a 17-year-old independent nonprofit organization based in Chicago. Heartland produces research and commentary on a wide range of public policy issues for the nation's 8,000 state and national elected officials. Our research efforts involve over 100 academics and 130 state elected officials who serve on advisory boards.

Last year, I edited and Heartland published Antitrust After Microsoft: The Obsolescence of Antitrust in the Digital Era, by attorney David Kopel. Kopel's findings are directly relevant to the proposed settlement and, I believe, argue in favor of the settlement being approved.

The proposed Final Judgment brings to an end, rightly so, litigation that has been rendered meaningless or counterproductive by changing market conditions. Since 1998, phenomenal increases have occurred in the power of computers, their ability to store information, and the speed of data transmission. Products that were once at the core of the Microsoft case have disappeared, changed dramatically, been superseded by others, or been sold or merged with others. The result is a product landscape that would be almost unrecognizable to a juror or jurist studying Microsoft in 1998. Technological change per se does not mean the Microsoft case was without merit. It certainly does not mean Microsoft is innocent of the illegal business practices it is charged with. What is clear, though, is that Microsoft's actions have not stopped or even slowed the rate of technological innovation. Indeed, Microsoft products continue to play a major role in making much of that innovation possible.

The proliferation of new products and falling prices makes it difficult to defend the assertion that consumers were harmed during the 1990s by Microsoft's alleged monopolistic conduct. Evidence of any harm to consumers was conspicuously missing during the Microsoft trial. The absence in the proposed Final Judgment of payments or restitution to consumers or any of Microsoft's competitors is entirely appropriate for this reason.

Changing technology has transformed the market in which Microsoft competes. Competitors who once complained of Microsoft's market power have now merged with other competitors and become behemoths themselves. Microsoft faces serious competition from companies offering software and hardware products that weren't even invented when U.S. v. Microsoft was launched. Microsoft's core business—writing the operating systems of personal computers—is under serious challenge from Linux and (to a lesser extent) Apple.

The center of gravity for computing is shifting away from the PC and onto such devices as personal digital assistants and Web-enabled telephones. Microsoft's competitors still include AOL, Netscape, Sun, and Oracle, but many new names have been added to the list: IBM, Sega, Sony, Red Hat, Symbian, Phone.com, AT&T/TCL, 3Com, Yahoo!, and even Microsoft's former ally, Intel. Some, like Red Hat, are using Linux to compete with Microsoft head-to-head for control of the PC operating system market. Others work to shrink that market by using non-PC devices to do what PCs used to do, and by writing programs in languages that can be read by computers using any operating system. The rationale for treating Microsoft as a monopolist is evaporating with each passing month as the old battleground of the desktop PC becomes less and less relevant to consumers and to the IT industry.

The proposed Final Judgment prohibits Microsoft from engaging in business practices, such as retaliating against OEMs that promote or sell products that compete with Microsoft products, that the trial court, in line with Justice Department antitrust policies, found to be anti-competitive. The proposed settlement also requires that Microsoft surrender control over the desktop or Start Menu, and make some of its intellectual property available to ISVs, OEMs, and other partners on a non-discriminatory basis. Compliance is ensured by requiring Microsoft to provide on-site office space for and access to its records and personnel to a 3-member Technical Committee and its staff. Microsoft apparently agrees to these restrictions, so there is little reason to argue here that they are unnecessary, except as a counterpoint to those who believe such restrictions don't go far enough in handicapping Microsoft. The practices that the trial court found to be anti-competitive are used routinely and legally by other companies in the IT industry and in other industries; it is dubious whether there can be an objective definition of what constitutes "anti-competitive practices" or under what conditions "competitive" conduct becomes "anti-competitive." Microsoft's practice of giving discounts to computer manufacturers who help develop new versions of Windows, include hardware to take full advantage of Windows, and promote the Windows name is a standard practice in other industries that works to the benefit of consumers.

The antitrust trial showed how easily antitrust laws can be manipulated against almost any company—even a company whose success depends on continuously improving its products and lowering its prices. David Kopel concluded his analysis

convinced that Microsoft was a victim of industrial policy gone awry. Government officials tried to "pick a winner": A Web browser they thought, wrongly, had the potential of becoming an applications platform that could eventually help another company compete successfully with Microsoft Windows in the operating system market. Microsoft's decision to launch and aggressively market its own Web browser—a browser that most computer magazine reviewers now say is superior to the regulators' Chosen One—ruined the plan and embarrassed its authors.

The original remedies sought against Microsoft have little to do with the company's supposed illegal conduct. In particular, the proposed breakup of the company into Operating and Applications Companies goes far beyond whatever would be necessary to stop anti-competitive behavior. Breaking up Microsoft would have forced American consumers to spend \$50 billion to \$125 billion more for software over a three-year period. Competition would not emerge. Innovation, far from being encouraged, would have been squashed. All companies and all industries that rely on the new digital technologies would have been hurt by Judge Penfield Jackson's proposed remedies.

I hope the court resists suggestions that the settlement "doesn't go far enough" in restricting Microsoft's freedom to compete or punishing it for competing too aggressively in the past. Justice in this case requires neither. The proposed Final Judgment protects the interests of consumers and producers by allowing Microsoft and its competitors to compete by producing the high-quality goods and services that consumers want.

As Illinois Attorney General Jim Ryan said when he joined eight other states and the Department of Justice by endorsing the settlement, "The battle has been won. It is time to move on."

Sincerely,
Joseph L. Bast
President
The Heartland Institute
19 S. LaSalle, Suite 903
Chicago, IL 60603
www.heartland.org
phone 312/377-4000
fax 312/377-5000
jbast@heartland.org

MTC-00013363

From: James Barger
To: Microsoft ATR
Date: 1/17/02 10:45am
Subject: Microsoft Settlement

I would like to express my disapproval of the Microsoft Settlement currently being considered. I believe it will only further extend the Microsoft monopoly and a solution encouraging other platforms and operating systems would be more effective.

Thank you.
James Barger

MTC-00013364

From: Rowe, Ken
To: 'microsoft.atr(a)usdoj.gov',
'cbhanif(a)pbpost.com'

Date: 1/17/02 10:49am
Subject: Microsoft Antitrust

I wish to state here that I'm happy, at least some states, along with Florida are primed to hold Microsoft culpable for their actions, I very disappointed in Justice and the Administration, for again favoring big business over the interests of the general public. The Bush's involvement in the S/L bailout, now this, and next I'm sure no one at Enron, will be held accountable for their fleecing of the public. I would hope the Justice Department would be above partisan politics, but that is apparently a laughable desire with John Ashcroft in the lead. But, let's see if we can come up with a sex scandal that everyone can be happy about wasting everyone's time with.

MTC-00013365

From: Bart Windrum
To: Microsoft ATR
Date: 1/17/02 10:47am
Subject: Microsoft Settlement

I urge you to ensure effective relief from Microsoft's anti-competitive business practices, and not cave in to those who would merely slap their corporate wrist.

Bart Windrum
Diogenes Inc.
Denver Development Office
410 17th St. #1380
Denver CO 80202
720 904 2321 x125
fax 720 904 9032
Bart.Windrum@DiogenesInc.com

MTC-00013366

From: Robert Litan
To: Microsoft ATR
Date: 1/17/02 10:47am
Subject: Microsoft settlement

Please substitute this version for the one I just sent. There were some misspellings in the prior one. Sorry.

BEFORE THE UNITED STATES
DEPARTMENT OF JUSTICE UNITED
STATES OF AMERICA,
Plaintiff,

v.
Civil Action No. 98-1232 (CKK)
MICROSOFT CORPORATION,
Defendant.
STATE OF NEW YORK ex rel.
Attorney General Eliot Spitzer, et al.,
Plaintiffs,

v.
Civil Action No. 98-1233 (CKK)
MICROSOFT CORPORATION
Defendant.
Comment of Robert E. Litan, Roger D. Noll,
and William D. Nordhaus on the Revised
Proposed Final Judgment

I. Introduction

We are filing these comments on the Revised Proposed Final Judgment (RPFJ)¹ and Competitive Impact Statement (CIS)² to provide the Justice Department and the court with what we believe is a useful economic analysis to assist the court in fashioning the

¹ United States v. Microsoft Corp., Stipulation and Revised Proposed Final Judgement (November 6, 2001).

² United States v. Microsoft Corp., Competitive Impact Statement (November 15, 2001).

appropriate remedy in this matter. In brief, we believe that the RPFJ is not in the public interest, as that test is applied under the Tunney Act. Accordingly, the RPFJ should either be rejected outright now, or the court should refrain from ruling on the RPFJ until it has completed its further factual inquiry regarding the remedy proposed by the nine states not party to the RPFJ. If, however, the court accepts the RPFJ in the meantime, we strongly urge it to treat the RPFJ as an interim remedy and expressly leave open the possibility of supplementing the RPFJ with the additional remedies discussed in detail in this comment. We also recommend that in conducting its further factual inquiry in the remedy phase of this litigation that the court actively consider a structural remedy that would create some competition in the PC operating system market that, but for Microsoft's unlawful acts, reasonably could have been expected to have emerged by this time.

A. Interest of the Commenters

Each of the signatories of this Comment is a professional economist with expertise that is relevant to the matter now before the court, namely the design of an appropriate remedy to address Microsoft's antitrust violations. We are filing this submission in our own personal capacities and not on behalf of the institutions with which we are currently affiliated or employed (and identified shortly). We are submitting our views to assist the court in deciding whether to accept the RPFJ and ultimately in fashioning an appropriate remedy. None of us has been employed by or retained as consultant on matters before this court for Microsoft, the federal or state governments, or any other interested party in this litigation. Furthermore, none of us is receiving any compensation from anyone for submitting these comments.

We have followed this case extensively for the past several years, in several capacities. Collectively, we joined in filing an Amicus Brief on remedies before Judge Jackson in May, 2000, before he entered his final judgment on June 7, 2000.³ In that brief, we urged the court to conduct an evidentiary inquiry before adopting a remedy (a procedure that this court will now shortly follow). We also described the merits and drawbacks of three basic remedy options: a structural remedy, a conduct remedy, and relief requiring changes in competitors' access to Microsoft's intellectual property. Our brief established, in effect, a rebuttable presumption favoring structural relief. We did not support the kind of structural relief that the Department of Justice urged upon Judge Jackson and which he ultimately accepted: a two-way split of the company between an enterprise engaged in Operating Systems (the OS company) and the other engaged in applications software (the Applications Company). Instead, we made the case for adopting the only remedy we believed then (and still believe) would truly restore competition to the OS market: a three-way split of Microsoft's OS monopoly (that

would guarantee the end of the monopoly) and a separate Applications company.

We believe that we have relevant collective experience and insight that can benefit the court. We have worked on and studied extensively a wide range of government interventions, including deregulation (in airlines, surface transportation, the financial sector, electricity and telecommunications, water supply, hydrocarbon fuels, broadcasting); structural relief in antitrust cases (including *U.S. v. AT&T*); privatization (electric power, telecommunications and water); demonopolization and marketization in formerly state-run economies (including the former Soviet Union, Romania, and East Germany), and foreign trade cases (including tariff and quota relief and structural adjustment).

We also each have individual experience that is relevant to both the broad and narrow issues raised by this case. Robert E. Litan, currently the Vice President and Director of the Economic Studies Program at the Brookings Institution, was formerly Deputy Assistant Attorney General of the Justice Department's Antitrust Division from September 1993 until March 1995. During his tenure, he helped supervise the first civil antitrust investigation against Microsoft and participated actively in negotiating the consent decree limiting the company's licensing practices, which this court approved (after remand from the Court of Appeals) in 1995. He has closely followed the trial and subsequent judicial decisions in this matter and, in his recent research, has concentrated on, among other things, economic and policy issues relating to the rapid development and use of the Internet. Dr. Litan is both an economist and an attorney. During the course of his career as an economist, he has written or edited 25 books and over 150 articles in journals relating to a broad range of economic, regulatory and legal issues. Roger G. Noll is the Morris M. Doyle Centennial Professor of Public Policy in the Department of Economics at Stanford University. Professor Noll is the author or editor of thirteen books and over 300 articles, focusing on public policies toward business. Among his special areas of expertise are the economics of telecommunications, broadcasting and the Internet. He has examined privatization and regulation of telecommunications, water and electric power firms in many countries around world. He also has served on several boards and committees of the U.S. government, and has been a consultant to the Antitrust Division of the Justice Department, the Federal Trade Commission, and the Federal Communications Commission.

William D. Nordhaus is the Sterling Professor of Economics at Yale University, where he has served on the faculty since 1967. From 1977 to 1979, he was a Member of the U.S. President's Council of Economic Advisers. While at the Council of Economic Advisers, he established and chaired the Regulatory Analysis Review Group, which was charged with analyzing the impacts of major regulations. From 1986 to 1988, he served as the Provost of Yale University. He is the author of many books, among them *Invention, Growth and Welfare; Reforming*

Federal Regulation (jointly with Robert Litan); and the widely used undergraduate textbook, *Economics*, now in its sixteenth edition (jointly with Paul Samuelson). His research has dealt with issues of innovation, technological change, deregulation, and demonopolization for Russia and other economies in transition. Dr. Nordhaus was an expert witness for AT&T during the government's antitrust investigation of that company in the late 1970s and early 1980s, specifically on issues relating to the impact of the breakup of the company on technological change and innovation. He serves on a number of government panels, including membership on the Congressional Budget Office Panel of Economic Experts, and he is chairman of the Advisory Committee of the Bureau of Economic Analysis.

B. Overview of Comments

1. The Right Remedial Standard: Restoring the Level of Competition that Would Have Arisen But For Microsoft's Exclusionary Behavior.

This antitrust case is an unusual one for the court's consideration under the Tunney Act because of the stage at which this court is reviewing the RPFJ. The typical Tunney Act hearing comes before trial, in which the parties have entered into a consent decree. Instead, this hearing comes after extensive evidentiary hearings and lower court findings of extensive unlawful acts of monopolization that have been affirmed (unanimously) by an appellate court.⁴ Accordingly, the public interest standard under the Act is higher than it would be for the typical pre-trial settlement. The public interest standard will not be satisfied by an order simply stopping Microsoft from engaging in practices the courts have found to be illegal. Instead, the public interest test that is appropriate for a case at this stage of litigation involves the same remedial standards that courts apply to all parties who are found to have engaged in unlawful monopolization. That is, as the Court of Appeals noted in quoting *Ford Motor Co. v. United States*, 405 U.S. 562, 577 (1972) and *United States v. United Shoe Mach. Corp.*, 391 U.S. 244, 250 (1968), the remedy must not only unfetter a market from anticompetitive conduct but also must terminate the illegal monopoly, deny to the defendant the fruits of its statutory violation, and ensure that there remain no practices likely to result in monopolization in the future.⁵

As we outlined in our earlier Amicus Brief, we believe there is only one remedy that presumptively would terminate the monopoly and prevent its recurrence: a structural remedy that first divides Microsoft into an Applications entity and an Operating System entity, followed by a division of the Operating System entity into three separate companies. The DC Circuit rejected a somewhat different structural remedy in the

⁴ *United States v. Microsoft Corp.*, 84 F. Supp. 2d 9 (D.D.C. 1999) ("Findings of Fact"); *United States v. Microsoft Corp.*, 87 F. Supp. 2d 30 (D.D.C. 2000) ("Conclusions of Law"); *United States v. Microsoft Corp.*, 253 F.3d 34 (DC Cir. 2001).

⁵ 253 F.3d at 103. The DC Circuit also cited in this regard *United States v. Grinnell Corp.*, 384 U.S. 563, 577 (1966).

³ Brief of Amici Robert E. Litan, Roger Noll, William D. Nordhaus, and Frederic M. Scherer (filed April 27, 2000).

absence of a factual inquiry to establish that such a solution was necessary.⁶ We therefore urge the court to evaluate the RPFJ against the backdrop of the factual inquiry that will be conducted in the parallel remedy hearing on the proposal of the nine states (Litigating States or LS) that are not party to the RPFJ.

In the absence of further fact-finding, we think that it is highly unlikely (and certainly premature to assume) that the RPFJ satisfies the public interest test. The reasons for this harsh assessment are that the RPFJ stops well short of changing the structure of the company and introducing any competition into an illegally maintained monopoly market; it provides only the barest minimum of conduct restrictions; and it offers a defective enforcement mechanism. As a result, it will not undo the harms arising from Microsoft's unlawful acts. The Justice Department articulates a standard that a remedy merely must restore competition to the condition existing in 1995, prior to the beginning of Microsoft's unlawful conduct.⁷ This standard does not meet the United Shoe test and is not in the public interest. This is because the middleware threat to Microsoft's operating system monopoly, provided by the Netscape browser and by the possibility of a JAVA-based universal translator (as described below), are no longer present and the Java threat is now much diminished. The Justice Department's proposed standard simply ignores the fact that Microsoft's unlawful acts succeeded in vastly weakening the state of competition that existed in 1995. Not only would the RPFJ fail to meet the United Shoe requirement that the monopoly be terminated, but it would also enable Microsoft to continue to enjoy the fruits of its unlawful acts. Such an outcome is not in the public interest because it would not restore the level of competition that has been lost as a result of Microsoft's antitrust violations. The appropriate standard instead is whether the proposed relief repairs the anti-competitive harm caused by Microsoft's illegal actions. A remedy that satisfies this standard must put an immediate end to the benefits now accruing to Microsoft as a result of its unlawful activity, which means the remedy must restore competition to the condition that would have been present in the market by now in the absence of Microsoft's unlawful conduct. Therefore, an appropriate remedy is one that would produce substantial competition in the supply of operating systems.

We are also concerned that the DOJ's low remedial standard will fail to deter future anticompetitive conduct by Microsoft or other similarly situated monopolists. Under the DOJ standard, if a monopolist quickly squashes a nascent competitor when it comes on the scene, before it acquires a significant market share, the antitrust penalty will be small because of the small impact that competitor has achieved at the time of its demise. This will not deter. To the contrary, it will simply encourage a rapid anticompetitive response to new entry.

In addition, our review convinces us that the RPFJ will not even satisfy the low remedial standard the Justice Department articulated. The core of the DC Circuit decision involved unlawful conduct by Microsoft to maintain the applications barrier to entry. Despite this, the RPFJ does nothing to reduce that barrier. The RPFJ does not even prohibit all the illegal conduct affirmed by the DC Circuit most notably, the integration of middleware into the operating system through commingling of software code and the deception of Independent Software Vendors (ISVs) that led them to use Microsoft's Java tools.

Moreover, the term of the decree is only five years, a period shorter than the six years since the start of Microsoft's anticompetitive campaign in 1995, while the RPFJ is riddled with exceptions and loopholes that destroy its effectiveness. These exceptions will create a substantial risk that the plaintiffs will be required to litigate significant competitive issues every time that they believe Microsoft is not in compliance with the RPFJ. Microsoft, meanwhile, will certainly challenge any non-compliance allegations. The consequent delay will render the decree unenforceable and eliminate any incentives for Microsoft to comply. Indeed, the RPFJ proposes an enforcement mechanism that itself is defective and thus will fail to deter or punish further anticompetitive conduct by Microsoft. For example, the only specific punishment for a pattern of willful and systematic violations is a one-time two-year extension of this ineffective decree.

In short, the RPFJ fails to satisfy the public interest under either remedial standard (the DOJ's or the one we believe is more appropriate for this case). The RPFJ is a pseudo-remedy that will not terminate Microsoft's anticompetitive conduct, let alone restore competition.

2. DOJ's Flawed Rationale for a Limited Remedy

In recent statements, Assistant Attorney General Charles James has attempted to justify the limitations in the RPFJ on the grounds that the DC Circuit significantly narrowed the case.⁸ That justification is unwarranted. The government prevailed on the core part of the complaint, the Section 2 monopoly maintenance count. Furthermore, in reversing the tying and monopoly leveraging counts, the court did not excuse the conduct that the government attacked. Instead, that very conduct provided the basis for liability for monopolization. The fact is that the government won a great victory in this important case and the RPFJ threatens to squander that success.

The Justice Department and Microsoft might argue that the RPFJ will implement immediate and certain relief, free of litigation risk. In particular, the Department and Microsoft might claim that absent a settlement, a full-blown remedy hearing with inevitable appeals would result in substantial delay in implementation.

We disagree. First, the RPFJ does not eliminate litigation risk. Importantly,

enforcement of the RPFJ itself, if approved by the court, will be accompanied by very substantial litigation risk. Certain key provisions of the RPFJ do nothing more than state the antitrust rule of reason, which would require the government to prove a new antitrust violation in an enforcement action. Other provisions contain exceptions that can effectively and inappropriately immunize Microsoft's actions. Thus, if Microsoft were to defend against an attempt by the Department to enforce the RPFJ, the Department inevitably would find itself in nothing short of yet another antitrust suit against Microsoft. In this way, the RPFJ is defective because it invites extensive litigation whenever any compliance issue is raised. That fact will increase litigation risk, not reduce it.

Second, in our view, the potential litigation delay is an inadequate justification for the weakness of the RPFJ. Waiting to obtain an effective remedy is better than implementing a RPFJ that can only be characterized as a pseudo-remedy. In any event, enforcement under the RPFJ will involve substantial delays. Certain key provisions of the RPFJ involve significant and unnecessary delays of 9–12 months before being implemented. Equally important, the reasonableness qualifications and other exceptions written into the RPFJ will lead to adjudication delays in any enforcement actions.

3. More Effective Remedies

So what should the court do now? Given that the RPFJ clearly fails to meet any conceivable interpretation of the public interest standard that would be suitable for a case in which both trial and appellate courts have definitively spoken, the clear course is to reject the RPFJ, or at the very least, to postpone ruling now and to modify the remedy after further evidence is taken during the next phase of the litigation. Thus, we certainly agree with this court's decision to evaluate in tandem the RPFJ and the remedial proposal of the Litigating States. The remedy hearing on the LS proposal will provide the court with the opportunity to evaluate the loss of competition caused by Microsoft's unlawful conduct over the past six years. Comparing the RPFJ with the LS proposal using the evidence gathered on the loss of competition will better enable the court to choose a remedy commensurate with the competitive harm.

As we discuss further below, the evidence adduced at trial and referenced by the trial court in its Findings of Fact already provides adequate evidence to support the conclusion that there was a strong causal connection between Microsoft's unlawful conduct and the subsequent state of competition in the market. The clear implication, therefore, is that a real remedy must reverse that impact to be in the public interest. We continue to believe that a divestiture that creates three competing OS companies is the most effective remedy. But if the court should eventually decide otherwise, we urge it to adopt the additional remedies proposed by the Litigating States (LS). The LS proposal includes several provisions that are designed to reduce the applications barrier to entry and thereby significantly increase the

⁶ 253 F.3d at 80.

⁷ The CIS describes the goal of its efforts as enabling the restoration of the competitive threat that middleware products posed prior to Microsoft's unlawful undertakings. (CIS at 3.)

⁸ Statement of Charles James to Committee of the Judiciary (United States Senate), The Microsoft Settlement: A Look to the Future (December 12, 2001).

opportunity to restore the substantial competition foregone as a result of Microsoft's actions. It also eliminates key exceptions and loopholes and puts teeth into the enforcement mechanism.

We also recommend strengthening the remedy offered by the Litigating States in three ways. First, Microsoft should be required to certify compliance with the decree every six months. Second, the decree should be supplemented with a crown jewel provision that automatically implements a structural remedy—preferably of the type we recommend here and suggested earlier in our Amicus Brief—upon proof of a pattern of material violations of that decree by Microsoft. Third, the term of the decree should be left open, but the decree should be reviewed after five years to see whether it can be terminated or needs to be modified to make it stronger and more effective.

4. Organization of this Comment

This Comment is organized as follows. Sections II and III provide the background for our evaluation. In Section II, we review the record on Microsoft's monopoly power and the applications barrier to entry. We then review Microsoft's illegal anticompetitive conduct. We discuss the harm to competition caused by this conduct, including the entrenchment of Microsoft's monopoly power since 1995. This harm is described in detail because it is relevant to evaluating the RPFJ, which does not attempt to redress this harm. In Section III, we describe the goals that a remedy should attain and the enforcement principles required to implement the remedy in a way that serves the public interest. We then use the facts and principles developed in these two sections to evaluate the RPFJ.

In Section IV, we evaluate the RPFJ on the basis of the CIS's stated remedial standard of restoring the competitive threat to the level prior to Microsoft's unlawful conduct. We find that the RPFJ does not achieve that goal because it does not prohibit all of Microsoft's unlawful conduct found by the DC Circuit, because it contains numerous exceptions and loopholes, and because it contains a defective enforcement mechanism.

In Section V, we explain why the CIS's remedial goal sets too low a standard and why the proper standard would be to restore competition to the level that would have been achieved by now in the absence of the unlawful conduct. In Section VI, we discuss alternative remedies that stand a better chance of meeting this more appropriate standard. In particular, we discuss the full divestiture structural remedy, the conduct remedy proposed by the Litigating States, and our suggested modifications to the Litigating States' proposal.

II. Microsoft's Possession and Illegal Maintenance of Monopoly Power in the Supply of Operating Systems

The proper place to begin to assess the adequacy of the RPFJ is with the fundamental finding of both the District and Appellate Courts that Microsoft has continued to possess monopoly power in the supply of operating systems (OS), with a 95 percent

share of that market.⁹ Furthermore, the courts determined that the Mac OS, handheld devices, Internet portal sites, and the then-available middleware (which is discussed in greater detail below) did not impose any meaningful competitive constraint on the pricing or non-pricing behavior of Microsoft.¹⁰

It is one thing to acquire and maintain monopoly through lawful conduct, but quite another to maintain it through illegal acts. A second core finding of both courts is that Microsoft took the latter route by engaging in a variety of exclusionary activities to protect its monopoly position against growing OS competition. In particular, we describe in some detail below how Microsoft exploited the applications barrier to entry to prevent the emergence of OS competition. The detail is necessary to appreciate the broad insufficiency of the RPFJ.

A. The Applications Barrier to Entry

The government's case against Microsoft rested heavily on the existence of an applications barrier to entry. Every operating system for a PC exposes (or makes available) to software developers application program interfaces (APIs) that developers use to write applications (such as spreadsheets, word processing, or games) for the OS. In particular, the APIs allow developers to access frequently-used routines in the OS that are also used in applications, which reduces the costs of and time entailed in generating those applications.

Each operating system has a different set of APIs. Consequently, if a software developer wants to create an application for multiple operating systems, the developer must tailor the application for each OS. This porting of applications from one OS to another is costly. As a result, if there were one widely used OS, software developers would tend to write for that OS and users of that OS would have access to more applications than users of other operating systems.

The cost of porting an application from one OS to another is the source of the applications barrier to entry in the supply of operating systems. Computer users tend to gravitate towards the largest-share OS, because that OS has more applications available than other operating systems. As the share of the dominant OS becomes even larger, software developers are even less likely to port their applications from the increasingly popular OS to other increasingly less popular operating systems.

One very possible result, therefore, is that in such a market, ever more consumers will flock to the larger-share OS, while ever fewer developers port their applications to other operating systems. Ultimately, such a dynamic can lead to the domination of the market by a single firm, able to charge what economists call "supracompetitive" prices and to earn supranormal profits. If, however, entry into the market were relatively easy, high profits would attract new firms, and the fear of that entry would encourage the dominant firm to continue to innovate in an

effort to retain its position. But if barriers to entry are high, then fewer firms will be able to attract the capital and entrepreneurial talent to challenge the dominant OS than would be the case in a market where entry barriers are much lower.

The applications barrier to entry can produce such a sub-optimal outcome. Such a barrier arises when most users would not switch from the dominant OS because most of the applications software would not be available for another OS offered by a new entrant. Consumers would instead wait until more applications become available (or are imminent) for the entrant OS before switching. The barrier is strengthened to the extent software developers will not write for or port applications to the entrant OS until it has a sizeable user base. In this way, both consumers and developers become locked into the dominant OS. This can happen even though it would be in the collective interests of both consumers and developers to switch to an alternative OS.

This explanation of the applications barrier to entry was not only documented by the Department's own experts prior to the initial remedy exercise.¹¹ It was also found to exist as a matter of fact by the trial court.¹²

In principle, the applications barrier to entry in the OS market could be overcome if there existed a universal translator that reduced the costs of porting applications between the dominant OS and other operating systems. If those costs were reduced, software developers would be more likely to write applications that can run on multiple operating systems. As the courts in this matter recognized, middleware could serve as such a universal translator.¹³ Middleware is software that can run on top of an operating system and expose its own APIs to software developers. Any application that could run on the middleware could also run on any OS on which the middleware can run. As a result, an application written to the APIs of a middleware that can run on multiple operating systems would itself also run on those otherwise incompatible operating systems. In this way, users of the less popular operating systems could have access to the same applications available on the more popular operating systems. Similarly, developers would have an incentive to write to the middleware's APIs because there would be more potential purchasers of the applications software than if the developer wrote the application for only one OS. In short, the availability of middleware would ensure that users' choice of an OS is driven by the price and features of the OS, not by the relative number of applications available that flow from historical market shares.

B. The Middleware Threats to Microsoft's OS Dominance

In affirming the District Court's conclusion that Microsoft had illegally maintained its OS monopoly, the DC Circuit concluded that

¹¹ See, for example, Direct Testimony of Franklin M. Fisher at 9–19, 35–40.

¹² Findings of Fact NN30, 36–37 (84 F.Supp.2d at 18–20), cited by the DC Circuit (253 F.3d at 55).

¹³ Findings of Fact 29,72 (84 F.Supp.2d at 17–18, 29), cited by the DC Circuit (253 F.3d at 55).

⁹ 253 F.3d at 51–52.

¹⁰ Findings of Fact NN21, 23, 27, 28–29 (84 F.Supp.2d at 15, 17–18), cited by the DC Circuit (253 F.3d at 52–53).

Microsoft's unlawful acts specifically were aimed at thwarting two related middleware threats to its monopoly power: Netscape Navigator and the Java technologies pioneered by Sun. As we discuss below, both threats in fact were successfully neutralized by Microsoft's anticompetitive conduct. As a result, Microsoft was able to prevent any erosion in the all-important (to Microsoft) applications barrier to entry.

1. The Netscape Navigator Threat

Netscape's Navigator quickly became the leading web browser after its introduction in 1994, raising concern at Microsoft that Navigator could become the middleware that substantially lowers or eliminates the applications barrier to entry.¹⁴ After failing to convince Netscape that Navigator should not be middleware for the Windows OS,¹⁵ Microsoft embarked on a strategy to reduce the use of Navigator as a web browser. If Microsoft could succeed in substantially reducing Navigator's share of browser usage, its value as a platform for software developers would be reduced and therefore new (and smaller-share) operating systems would continue to confront the applications barrier to entry. In that way, Microsoft would protect its OS monopoly. The tactics Microsoft adopted to implement this strategy effectively eliminated the most efficient means for the distribution of Navigator to consumers:

One of the two most important ways in which Navigator was distributed to consumers was through computer manufacturers (Original Equipment Manufacturers or OEMs) that would install Navigator on computers before being shipped to final consumers or retail outlets.¹⁶ Microsoft imposed restrictions on its OS licenses with the OEMs that effectively prevented the OEMs from removing the Microsoft browser, Internet Explorer (IE), provided to the OEMs as part of the Windows OS package. In particular, the agreements with OEMs prevented them from removing any desktop icons, folders or start menu entries, including those for IE.¹⁷ While OEMs could technically install Navigator as an additional browser, they did not do so because they would then incur substantial support costs in responding to the confusion among novice users caused by having two browsers on the desktop.¹⁸ Given the dominance of Microsoft's operating system, OEMs had no effective competitive alternative to which they could turn if they chose not to accede to Microsoft's request.¹⁹

To ensure that IE would not be removed from Windows by the OEMs, Microsoft technologically bound Internet Explorer to

the Windows operating system.²⁰ It did so by excluding IE from the Add/Remove Programs utility in Windows 98²¹ and by commingling the IE code with the OS code.²² As with the license restrictions, these tactics prevented the OEMs and users from replacing IE with Navigator (or any other preferred browser). Indeed, if the OEM or user did remove IE from the Windows package, the code commingling guaranteed that the cost would have been substantial damage to the Windows OS.²³ Although the OEMs, in principle, could have installed Navigator as a second browser, the additional costs required to support two browsers discouraged such behavior.²⁴

The second important way in which Navigator at the time was distributed to users was through becoming the preferred browser for Internet Access Providers (IAPs).²⁵ At the OEM level, Microsoft prevented the OEMs from modifying the boot sequence of the computer when the user turns the computer on for the first time.²⁶ Previously, many OEMs had used the initial boot to prompt users to sign up with an IAP from a menu of IAPs, many of which at the time used Navigator as the web browser.²⁷ As a result of the restriction, Microsoft effectively inhibited OEMs' from promoting IAPs using Navigator.²⁸

A more direct attack by Microsoft on Netscape's use of IAP distribution of Navigator was embodied in exclusive agreements that Microsoft signed with all of the leading IAPs. In exchange for desktop access in the Windows OS, these IAPs agreed to promote only IE and to limit distribution of any IAP software containing Navigator to typically no more than 25% of the IAP's access software shipments.²⁹

There are two other channels that Netscape could have used to distribute its browser:

Independent Software Vendors (ISVs) and Apple computers. With respect to the former, Microsoft concluded contracts with a large number of ISVs in which Microsoft agreed to provide the ISV with preferential OS support provided that the ISVs use IE as the default browser.³⁰ With respect to Apple, after threatening to terminate the production of its popular Mac Office, Microsoft concluded an agreement with Apple in which IE would become the default browser for Apple

computers and no other browser icon would be placed on the desktop of new Macintosh computers or upgrades.³¹

The District Court found, and the DC Circuit affirmed, that each of these tactics was anticompetitive, violating Section 2 of the Sherman Act. Collectively, Microsoft used these tactics to effectively close the most efficient channels of distribution available to Netscape's Navigator. As the Justice Department's own CIS observes: [b]ecause of its reduced access to efficient distribution channels, Navigator's share of browser use fell precipitously.³² Thus, Microsoft effectively eliminated Navigator as a potential middleware provider, thereby also eliminating the possibility that its OS would have to compete on its merits.

2. The Java Threat

Sun Microsystems developed a middleware technology known as Java, which consists of four tools: (1) a programming language; (2) Java Class Libraries, which are a set of programs in that language that expose the APIs; (3) a compiler, which translates the developer code into instructions. The Java Class Libraries and the JVM are together called the Java runtime environment. Any software application that relies on the Java APIs will run on any computer with a Java runtime environment.

In 1995, Netscape agreed to distribute a copy of the Java runtime environment with every copy of Netscape Navigator.³³ At the time of the agreement, Navigator's popularity ensured that the Java runtime environment would gain wide distribution.³⁴

In combination with the distribution of Navigator, Sun's Java represented a clear and present danger to Microsoft's OS monopoly because as middleware, Java had the potential of substantially reducing the applications barrier to entry.³⁵ Rather than compete on the merits, Microsoft responded to the Java-Navigator threat not only by the steps already described to limit the distribution of Navigator, but by these additional measures:

After developing its own version of the JVM, Microsoft negotiated agreements with a large number of leading ISVs in which the ISVs agreed to use Microsoft's JVM as the default in any software they created.³⁶ These agreements were de facto exclusive because the use of any other JVM would now require that the ISVs incur the costs of porting their Java applications from Microsoft's JVM to a Sun-compliant JVM,³⁷ which, of course, defeats the cross-platform purpose of the Java technologies. ? In 1995, when Intel was in the process of developing a JVM that would comply with Sun's cross-platform standards,

³¹ Findings of Fact 349–352 (84 F.Supp.2d at 73), cited by the DC Circuit (253 F.3d at 73).

³² CIS at 15.

³³ Findings of Fact N76 (84 F.Supp.2d at 29–30), cited by the DC Circuit (253 F.3d at 74).

³⁴ Findings of Fact N394 (84 F.Supp.2d at 106–107), cited by the DC Circuit (253 F.3d at 76).

³⁵ Findings of Fact N28 (84 F.Supp.2d at 17), cited by the DC Circuit (253 F.3d at 74).

³⁶ Findings of Fact N401 (84 F.Supp.2d at 108–109), cited by the DC Circuit (253 F.3d at 75).

³⁷ Findings of Fact N401 (84 F.Supp.2d at 108–109), cited by the DC Circuit (253 F.3d at 75–76).

¹⁴ For example, see Findings of Fact 72, 166 (84 F.Supp.2d at 29, 51).

¹⁵ Findings of Fact 79–87 (84 F.Supp.2d at 30–33).

¹⁶ Findings of Fact 145 (84 F. Supp.2d at 47), cited by the DC Circuit (253 F.3d at 60).

¹⁷ Findings of Fact 213 (84 F. Supp.2d at 61), cited by the DC Circuit (253 F.3d at 61).

¹⁸ Findings of Fact 159, 210 (84 F. Supp.2d at 49–50, 60–61), cited by the DC Circuit (253 F.3d at 61).

¹⁹ See, for example, Findings of Fact 158 (84 F. Supp.2d at 49).

²⁰ Findings of Fact N160 (84 F.Supp.2d at 49–50), cited by the DC Circuit (253 F.3d at 64).

²¹ Findings of Fact N170 (84 F.Supp.2d at 52), cited by the DC Circuit (253 F.3d at 65).

²² Findings of Fact N161 (84 F.Supp.2d at 50), cited by the DC Circuit (253 F.3d at 65).

²³ Findings of Fact N164 (84 F.Supp.2d at 50), cited by the DC Circuit (253 F.3d at 65).

²⁴ Findings of Fact N159 (84 F.Supp.2d at 49–50), cited by the DC Circuit (253 F.3d at 65–66).

²⁵ Findings of Fact N242 (84 F.Supp.2d at 69–70), cited by the DC Circuit (253 F.3d at 70).

²⁶ Findings of Fact N213 (84 F.Supp.2d at 61), cited by the DC Circuit (253 F.3d at 61).

²⁷ Findings of Fact N210, 212 (84 F.Supp.2d at 60–61), cited by the DC Circuit (253 F.3d at 61–62).

²⁸ 253 F.3d at 61–62.

²⁹ Findings of Fact NN258, 262, 289 (84 F.Supp.2d at 73, 74, 81), cited by the DC Circuit (253 F.3d at 68).

³⁰ Findings of Fact N339 (84 F.Supp.2d at 93), cited by the DC Circuit (253 F.3d at 71–72).

Microsoft complained that the cooperation between it and Intel could be jeopardized if Intel did not end its cooperation with Sun.³⁸ Intel resisted Microsoft's entreaties until 1997 when Microsoft threatened to support one of Intel's competitors, AMD, in the development of 3D technology unless Intel stopped its work on Java. After this, Intel agreed.³⁹

Microsoft developed a set of tools to assist ISVs in creating Java applications.⁴⁰ However, unbeknownst to the ISVs, the use of these tools would create applications that were incompatible with Sun's JVM. Microsoft misled these developers into believing that the use of the tools would be of assistance in designing cross-platform Java applications.⁴¹ As a result, ISVs became locked into Microsoft's tools, creating large costs of switching back to Sun's tools after the ISVs discovered the deception. The District Court found each of these tactics to be in violation of Section 2 of the Sherman Act, findings that were affirmed by the DC Circuit. The acceptance of this promising middleware platform slowed as a result of Microsoft's actions. As a result, Microsoft preserved the applications barrier to entry and its OS monopoly.

C. Immediate Harm to Competition and Consumers

The courts found that each of these tactics adopted by Microsoft resulted in direct and immediate harm to competition. By inference, therefore, consumers clearly were harmed. For example, with respect to commingling of the IE code with the Windows OS code, the DC Circuit concluded that: such commingling has an anticompetitive effect the commingling deters OEMs from pre-installing rival browsers, thereby reducing the rivals' usage share and, hence, developers' interest in rivals' APIs as an alternative to the API set exposed by Microsoft's operating system.⁴²

The DC Circuit reached a similar conclusion regarding the technological inability of the OEM to remove IE using the Add/Remove utility.⁴³ Microsoft subsequently requested clarification from the DC Circuit that the commingling would not be illegal if the OEM were allowed to remove

the icon from the desktop. The DC Circuit declined the request.⁴⁴

Thus, it is clear that the DC Circuit intended its conclusion regarding commingling middleware code. With respect to Netscape Navigator distribution, the courts found that Microsoft had successfully foreclosed the OEM route for distribution to consumers. This was especially clear in Microsoft's successful efforts to prevent OEMs from removing IE from the Windows desktop, as to which the DC Circuit concluded that: the OEM channel is one of the two primary channels for distribution of browsers. By preventing OEMs from removing visible means of user access to IE, the license restriction prevents many OEMs from pre-installing a rival browser and, therefore, protects Microsoft's monopoly from the competition that middleware might otherwise present. Therefore, we conclude that the license restriction at issue is anticompetitive.⁴⁵

The courts also found that Microsoft harmed competition by disrupting Navigator's ability to be distributed by IAPs. For example, the DC Circuit concluded that Microsoft's agreements with the IAPs ensured that because: the "majority" of all IAP subscribers are offered IE either as the default browser or as the only browser, Microsoft's deals with the IAPs clearly have a significant effect in preserving its monopoly; they help keep usage of Navigator below the critical level necessary for Navigator or any other rival to pose a real threat to Microsoft's monopoly.⁴⁶

The DC Circuit reached similar conclusions with respect to Microsoft's license restrictions that prevented OEMs from using the initial boot to prompt users to choose from a list of IAPs (many of which at the time used Navigator as the preferred browser);⁴⁷ Microsoft's agreements with leading ISVs to use IE as the default browser in their applications;⁴⁸ and Microsoft's agreement with Apple by which IE would become Apple's default browser.⁴⁹ Similarly,

the courts found that Microsoft's exclusionary tactics directed at Sun's Java served to illegally maintain Microsoft's monopoly OS power. For example, with respect to the agreements by which the Microsoft JVM would be the ISVs' default JVM, the DC Circuit concluded that: the record indicates that Microsoft's deals with major ISVs had a significant effect upon [rival] JVM promotion. Because Microsoft's agreements foreclosed a substantial portion of the field for JVM distribution and because, in so doing, they protected Microsoft's monopoly from a middleware threat, they are anticompetitive. [W]e hold that the provisions in the First Wave Agreements requiring use of Microsoft's JVM as the default are exclusionary, in violation of the Sherman Act.⁵⁰

The DC Circuit reached similar conclusions with respect to both Microsoft's deception of ISVs regarding the incompatibility of Java applications created using Microsoft's Java tools on Sun-compliant JVMs⁵¹ and regarding Microsoft's success in persuading Intel not to support the Sun-compliant JVMs.⁵² In sum, Microsoft succeeded in foreclosing access by the middleware platforms offered by both Navigator and Sun's Java to the most effective means of distributing this middleware to consumers, as well as to other distribution channels. As a result of this foreclosure, neither middleware would develop to its full competitive potential. With respect to the effects on Navigator, the CIS summarized the harm in the following way:

Microsoft's actions succeeded in eliminating the threat that the Navigator browser posed to Microsoft's operating system monopoly. Foreclosed from effectively using the OEM and IAP distribution channels by Microsoft's exclusionary conduct, Navigator was relegated to more costly and significantly less effective modes of distribution. The adverse business effects of these restrictions also deterred Netscape from undertaking technical innovations in Navigator that might have attracted consumers and revenues.⁵³ Similarly, with respect to Java and its distribution via Navigator, the CIS concludes: Through its actions against Navigator and Java, Microsoft retarded, and perhaps extinguished altogether, the process by which these two middleware technologies could have facilitated the introduction of competition into the market for Intel-

substantial effect in restricting distribution of rival browsers, and because reducing usage share of rival browsers serves to protect Microsoft's monopoly, its deal with Apple must be regarded as anticompetitive. (253 F.3d at 73-74.)

⁵⁰ 253 F.3d at 75-76.

⁵¹ Specifically, the DC Circuit concluded that Microsoft's conduct related to its Java developer tools served to protect its monopoly of the operating system in a manner not attributable either to the superiority of the operating system or to the acumen of its makers, and therefore was anticompetitive. (253 F.3d at 77.)

⁵² The DC Circuit found that Microsoft's internal documents and deposition testimony confirm both the anticompetitive effect and intent of its actions. (253 F.3d at 77.)

⁵³ CIS at 15.

³⁸ Findings of Fact N396, 404, 405 (84 F.Supp.2d at 107, 109-110), cited by the DC Circuit (253 F.3d at 77).

³⁹ Findings of Fact N406 (84 F.Supp.2d at 110), cited by the DC Circuit (253 F.3d at 77).

⁴⁰ 253 F.3d at 76.

⁴¹ Java developers who were opting for portability over performance unwittingly [wrote] Java applications that [ran] only on Windows. Conclusions of Law (87 F.Supp.2d at 43), cited by the DC Circuit (253 F.3d at 76); see also 253 F.3d at 76-77.

⁴² 253 F.3d at 66.

⁴³ Citing the Findings of Fact (N159 (84 F.Supp.2d at 49-50)), the DC Circuit concluded that this inability reduces the usage share of rival browsers not by making Microsoft's own browser more attractive to consumers but, rather, by discouraging OEMs from distributing rival products. Because Microsoft's conduct, through something other than competition on the merits, has the effect of significantly reducing usage of rivals' products and hence protecting its own operating system monopoly, it is anticompetitive. (253 F.3d at 65.)

⁴⁴ Order (DC Cir. Aug. 2, 2001) (per curiam) (denying the motion for immediate issuance of the mandate and the petition for rehearing).

⁴⁵ 253 F.3d at 61.

⁴⁶ 253 F.3d at 71.

⁴⁷ The DC Circuit concluded: Microsoft does not deny that the prohibition on modifying the boot sequence has the effect of decreasing competition against IE by preventing OEMs from promoting rivals' browsers. Because this prohibition has a substantial effect in protecting Microsoft's market power, and does so through a means other than competition on the merits, it is anticompetitive. (253 F.3d at 62.)

⁴⁸ The DC Circuit observed that: Although the ISVs are a relatively small channel for browser distribution, they take on greater significance because, as discussed above, Microsoft had largely foreclosed the two primary channels to its rivals. In that light, one can tell from the record that by affecting the applications used by millions' of consumers, Microsoft's exclusive deals with the ISVs had a substantial effect in further foreclosing rival browsers from the market. [B]y keeping rival browsers from gaining widespread distribution (and potentially attracting the attention of developers away from the APIs in Windows), the deals have a substantial effect in preserving Microsoft's monopoly. (253 F.3d at 72.)

⁴⁹ The DC Circuit concluded that Because Microsoft's exclusive contract with Apple has a

compatible personal computer operating systems.⁵⁴

D. Continuing Substantial Harm to Competition and Consumers

The middleware platforms offered by Navigator and Sun's Java were in their nascent stages at the time that Microsoft pursued its exclusionary strategy. However, the nascent state of the competitors does not make Microsoft's antitrust violations merely technical in nature and of no significant long-term consequence. By the same token, it would be a mistake to conclude that an appropriate remedy could be limited to one that imposes only minor constraints on Microsoft's behavior. Such a limited remedy would not repair the loss in competition caused by Microsoft's unlawful conduct because the harms to competition and consumers were substantial and continuing in nature.

1. The Shifting PC Paradigm Provided the Opportunity for the Emergence of New and Substantial Competition

What is more apparent now than in 1995 is how central the role of the Internet would become as an applications platform. During the mid-1990s, the maturation of the Internet was beginning to create a new paradigm for personal computing that relied on linkages over the Internet. The occasion of a paradigm shift represents an opportunity for new competition in a market characterized by network effects. We know now with much more certainty than even at the closing of the trial record that the Internet has transformed PC usage from a solo experience one user at one computer, using applications that reside on the desktop to an interconnected computer universe, using the Internet for both interpersonal communications and for accessing applications on the web.⁵⁵ Thus, instead of having all frequently used applications resident in the desktop, more and more of those applications were developed specifically for the Internet, most notably instant messaging, chat rooms, and online shopping, as conventional email always has been. In this way, the Internet has become the new communications medium, with the computer as the new handset.

In the absence of Microsoft's exclusionary conduct, both Netscape Navigator and Sun-compliant Java by now would have developed into a widely-used source for cross-platform applications, and thus would have spurred far more significant competition with Windows. In addition, at least some of the other efforts at the

development of platform-neutral software would also likely have reached competitive significance. These efforts include Intel's Native Signal Processor software, whose APIs for enhanced video and graphics performance would be exposed by Intel, not Windows;⁵⁶ Apples' QuickTime, which offers video and audio playback (among other capabilities) for both the Mac OS and Windows;⁵⁷ and Real Networks' software, which provides audio and video streaming software for multiple platforms.⁵⁸ The loss of competition stemming from Microsoft's tactics likely reduced the rate of innovation in both operating systems and in web-centric applications. But for Microsoft's illegal actions, the paradigm shift would likely have occurred more rapidly and completely. As one of the Justice Department's remedy experts, Professor Paul Romer, observed in his declaration in April 2000:

It is impossible to know with certainty the types of applications that might have developed had innovation continued with full force on [the Navigator and Java] fronts. We do know, however, that some types of applications forecast by the advocates of the browser and Java virtual machine are finally emerging. For example, companies are only now bringing to market server-based applications accessed via a browser that substitute for traditional desktop productivity applications.⁵⁹ Netscape Navigator and Sun's Java were at the center of the new computing paradigm. They had the opportunity to create momentum for a competitive process that would breakdown the applications barrier to entry and Microsoft's operating system monopoly. By eliminating the threats of both Navigator and Sun's Java, Microsoft maintained its Windows monopoly. The browser war is now over and Microsoft won as a result of its illegal conduct. Netscape is no longer any significant part of the market landscape and Internet Explorer has a virtual lock on the market.⁶⁰ By eliminating Netscape as a middleware threat and platform for the development of web-based applications, Microsoft thereby extended Microsoft's power and control into Internet applications.

Meanwhile, Sun's Java has lost its momentum from Microsoft's polluted Java and will not be able to reestablish its position by itself even after Microsoft stops its anticompetitive campaign.⁶¹ This is because ISVs that have invested in developing expertise in the use of Microsoft's Java tools have become locked-in and now face

substantial costs of switching to Sun's Java tools.

Likewise, the Real Networks and the QuickTime applications have never developed into the middleware opportunity that appeared likely in the mid-1990s. They have lost their lead and are now fighting for survival, while Microsoft has gained control over the multimedia platform through Windows Media Player.

Finally, in operating systems, the Mac OS and Linux OS continue to occupy a niche position while OS/2 is virtually non-existent. It is true that the Linux OS has made significant inroads into the server market where professional, technically savvy users are important in buying and using the product. But Microsoft's OS dominance in the desktop PC market continues and is not threatened by Linux, which is an open source, or non-proprietary product.

As one of Microsoft's consultants has explained: Although experience suggests that surprises are possible, open source does not seem a viable model for producing mass-market software. . . . Linux doesn't have a standard easy-to-use graphical interface. And it can't boast of many high-quality, user-friendly applications that appeal to mass-market users.⁶² In short, for Linux, too, the applications barrier to entry into the mass-market for PCs is simply too high to pose any real threat to Microsoft's dominance.

2. The Opportunity for the Emergence of New Competition Was Substantial and Its Loss Was Due to Microsoft's Exclusionary Actions

The evidence that, but for Microsoft's exclusionary actions, the competition to Microsoft would have been much more substantial than it is today, can be found in the fears that Microsoft itself expressed in the numerous memoranda and emails that are part of the trial record— frequently cited by the District Court in its Findings of Fact and by the DC Circuit. For example, in a 1995 memorandum to his staff, Bill Gates expressed his concern that Netscape was pursuing a multi-platform strategy where they move the key API into the client to commoditize the underlying operating system.⁶³ Further, as Microsoft executive Ben Slivka explained in his deposition,

So the point is not that the little Web browser, you know, whether it was Navigator 1 or Navigator 2 or Navigator 3, the point was not that that thing by itself as it stood then would immediately kill Windows. That wasn't the point. The point was that that thing could grow and blossom and provide an application development platform which was more popular than Windows.⁶⁴ Indeed, the central purpose of Microsoft's actions was to divert enough browser usage from Navigator to neutralize it as a platform.⁶⁵

In terms of how to deal with the Netscape threat, senior Microsoft executives made it clear that but for radical exclusionary action,

⁵⁴ CIS at 16–17.

⁵⁵ For example, the District Court found that events, in which categories are redefined and leaders are superseded in the process, are spoken of as inflection points "The exponential growth of the Internet represents an inflection point born of complementary technological advances in the computer and telecommunications industries. The rise of the Internet in turn has fueled the growth of server-based computing, middleware, and open-source software development. Working together, these nascent paradigms could oust the PC operating system from its position as the primary platform for applications development and the main interface between users and their computers. Findings of Fact 59–60 (84 F.Supp.2d at 25–26).

⁵⁶ Findings of Fact NN95–97 (84 F.Supp.2d at 34).

⁵⁷ Findings of Fact NN104–110 (84 F.Supp.2d at 36–37).

⁵⁸ Findings of Fact NN111–114 (84 F.Supp.2d at 37–38).

⁵⁹ Romer Declaration N11.

⁶⁰ The DC Circuit did not find this process of achieving any power or control in browsers to be a separate and independent antitrust offense. However, this dominance clearly flows from the same conduct that was found to illegally maintain Microsoft's desktop operating system monopoly.

⁶¹ This, of course, suggests that any effective remedy should if possible restore Sun-compliant Java to the prominence it would have attained absent Microsoft's illegal conduct.

⁶² David S. Evans, *Is Free Software the Wave of the Future?*, THE MILKEN INSTITUTE REVIEW, Fourth Quarter 2001, p. 41.

⁶³ Findings of Fact N72 (84 F.Supp.2d at 29).

⁶⁴ Benjamin Slivka 9/3/98 Dep. Tr. 252–253, cited in Direct Testimony of Franklin M. Fisher at 40–41.

⁶⁵ Findings of Fact N143 (84 F.Supp.2d at 46), cited by the DC Circuit (253 F.3d at 71).

IE would not succeed in eliminating Netscape and that as a result, Netscape would be a potent competitive constraint. For example, Judge Jackson cited the following statement by Microsoft executive James Alchin: I don't understand how IE is going to win. The current path is simply to copy everything that Netscape does packaging and product wise. Let's [suppose] IE is as good as Navigator/Communicator. Who wins? The one with 80% market share. Maybe being free helps us, but once people are used to a product it is hard to change them. Consider Office. We are more expensive today and we're still winning. My conclusion is that we must leverage Windows more.

Treating IE as just an add-on to Windows which is cross-platform [means] losing our biggest advantage Windows marketshare. We should dedicate a cross group team to come up with ways to leverage Windows technically more. . . . We should think about an integrated solution that is our strength.⁶⁶ Similarly, Microsoft had clearly evidenced comparable concerns with respect to the threat that Sun's Java posed to Microsoft's OS dominance. For example, Microsoft believed that it had to fundamentally blunt Java/AWT momentum so as to protect our core asset Windows.⁶⁷ Indeed, the now-famous Microsoft document made clear the substantial competitive threat that Microsoft perceived Java to be: Kill cross-platform Java by grow[ing] the polluted Java.⁶⁸ Microsoft also made this position clear to Intel.⁶⁹ The competitive importance of Java was also described clearly in an article appearing in the November 1996 edition of *Fortune*:

To Microsoft's dismay, [Java] is fast becoming what is known as a computing platform a sturdy base upon which programmers can build software applications Java programs, once written, can run without modification on just about any kind of computer: a PC, a Macintosh, a Unix workstation heck, even a mainframe. The underlying operating system makes no difference. In scarcely a year, Java has evolved into a major challenger to Microsoft's Windows family of PC operating systems faster even than DOS and Windows rose to challenge traditional mainframes and minicomputers. Java is also well on its way to becoming the most important Internet software standard, catapulting Sun past Netscape and Microsoft as the leader in Internet computing.⁷⁰

The Findings of Fact make clear that Microsoft both recognized and was deeply worried about the threats from both Java and

Netscape.⁷¹ The court wrote: The combined efforts of Netscape and Sun threatened to hasten the demise of the applications barrier to entry, opening the way for non-Microsoft operating systems to emerge as acceptable substitutes for Windows. By stimulating the development of network-centric Java applications accessible to users through browser products, the collaboration of Netscape and Sun also heralded the day when vendors of information appliances and network computers could present users with viable alternatives to PCs themselves. Decision-makers at Microsoft are apprehensive of potential as well as present threats, though, and in 1995 the implications of the symbiosis between Navigator and Sun's Java implementation were not lost on executives at Microsoft, who viewed Netscape's cooperation with Sun as a further reason to dread the increasing use of Navigator.⁷²

3. Conclusion

Taking Microsoft's own fears at its word, the court should not assume that Microsoft's illegal conduct failed to have its intended significant effects on competition. Instead, the courts should take Microsoft's own contemporaneous views for what they were: fears that these nascent competitors would have led to significant market competition today.

E. More Entrenched Microsoft Monopoly

Paradigm shifts in computing are not events that occur with great frequency. Indeed, only three significant shifts have occurred in the history of the PC industry: the shift from mainframes to PCs; the shift from a text-based to a graphical interface; and the current, nearly completed shift from the use of the PC as a single-user experience to the increasing reliance on the Internet for applications and communications. Microsoft relied on an exclusionary strategy to protect its monopoly power from the competition that would have been spawned by the paradigm shift. But now, Netscape has lost its window of opportunity to take advantage of this latest paradigm shift and Java has been neutralized. This middleware has been supplanted by Microsoft's own offerings. By carrying out its exclusionary strategy, Microsoft effectively destroyed the opportunity for these middleware competitors to overcome the applications barrier, competitors that Microsoft clearly viewed as a substantial threat to its OS monopoly power. Instead of consumers benefiting from the growing competition over the past five years, Microsoft has used the past five years to entrench the monopoly power of the Windows operating system and gain greater control over computing in the new Internet paradigm. Thus, the opportunity for new competition has been lost. Creating competition in the next paradigm shift will be even harder.

In just the past few months, Microsoft has introduced Windows XP, which has technologically bound key Internet-gateway

applications such as Windows Media Player to the operating system and its various browsers. In this way, Microsoft discourages software developers from writing their programs to competing middleware platforms. This also makes it harder for operating system competition to emerge.

As Microsoft's monopoly has become more entrenched, no alternative middleware threat has yet emerged that can match the significance of the threat posed by Navigator and Sun's Java in 1995. And overcoming the applications barrier to entry will be even harder for the next middleware threat. Microsoft now controls APIs and other standards, applications and platforms in browsing, Java and multimedia. This more pervasive control by Microsoft over these platforms means that independent software developers are even less likely to write to non-Microsoft platforms. A new platform entrant must now be able to overcome an applications barrier for these additional applications as part of the process of overcoming the applications barrier for the desktop OS.

Microsoft also has cemented its dominant desktop OS monopoly with the development of the Windows CE operating system for handheld devices as well as its increased share of OS server sales. While this power was not alleged in the government's complaint or found to be illegal, Microsoft's own offerings clearly have benefited from the illegal entrenchment of its desktop monopoly. Thus, a new platform entrant must not only overcome the application advantages that Microsoft illegally obtained in the desktop OS and extended to Internet applications, it must also provide compatibility with the handheld computers, which are rapidly gaining in popularity, and with servers which are increasingly relying on Microsoft's server operating systems.

Moreover, Microsoft has sent a clear and unambiguous signal by its conduct to would-be OS and cross-platform developers. As Dr. Romer explained: In the browser wars, Microsoft showed that it had the power to reduce the return Netscape and Sun earned on their investments in innovative technologies and that it was willing to use this power. This reduces the expected profits that outside innovators can expect to earn from developing technologies that threaten to create additional competition for Microsoft's operating system monopoly.⁷³ Thus, any developer of a credible means of providing applications interoperability across different operating systems must surely expect that Microsoft will use the same kind of swift, broad, and persistent exclusionary tactics to eliminate such a competitive threat to its OS. Similarly, any OEM, IAP, and ISV will consider Microsoft's likely reaction if they were to distribute or use any middleware with the potential to undermine Microsoft's monopoly power. In this way, the effect of Microsoft's actions has been to raise the applications barrier to entry by increasing the risk of investing in cross-platform initiatives. As a consequence, the immediate effects from Microsoft's foreclosure strategy will cast a long shadow into the future. After all, there

⁶⁶ Findings of Fact N166 (84 F.Supp.2d at 51).

⁶⁷ 6/20/96 re windows and internet issues, Paul Maritz to Brad Silverberg et al.: Pl. Ex. 42, at MS6 6010347.

⁶⁸ GX 259, cited by the DC Circuit (253 F.3d at 76-77).

⁶⁹ As stated by Judge Jackson, in November 1995, Microsoft's Paul Maritz told a senior Intel executive that Intel's [adaptation of its multimedia software to comply with] Sun's Java standards was as inimical to Microsoft as Microsoft's support for non-Intel microprocessors would be to Intel. Findings of Fact N405 (84 F.Supp.2d at 109-110), cited by the DC Circuit (253 F.3d at 77).

⁷⁰ Sun's Java: The Threat to Microsoft is Real, *Fortune*, November 11, 1996.

⁷¹ Findings of Fact 72 (84 F.Supp.2d at 29) (referencing Gates' Internet Tidal Wave memo), 77 (id. at 30).

⁷² Findings of Fact 77 (84 F.Supp.2d at 30).

⁷³ Romer Declaration 12.

is now no rival to Microsoft that poses a competitive threat to Microsoft that is comparable to threat that had been posed to Microsoft by Navigator and Sun's Java. Developments such as the roll-out of Microsoft's XP, which bundles productivity applications on the Internet with the operating system, raise the prospect viewed as nearly a fait accompli in some quarters that Microsoft is leveraging its PC OS monopoly power into the Internet.

Consequently, Microsoft's OS is today considerably more protected from the threat of entry than was true in 1995, because Microsoft has been able to eliminate all threats with seeming impunity. As we subsequently conclude, the weaknesses in the RPFJ are so substantial that if adopted, the RPFJ may encourage Microsoft to become even more aggressive in its anticompetitive behavior. Both Microsoft and any potential threats to Microsoft's market power will recognize that the penalty for Microsoft's antitrust transgressions is far less than what was likely expected prior to the RPFJ. As a result, with a lower expected penalty, Microsoft will find it profitable to adopt some anticompetitive strategies that prior to the adoption of this RPFJ it would have not viewed as profitable.

III. Remedy and Enforcement Principles

In this section, we describe the goals that a remedy in this matter should attain and the enforcement principles required to implement the remedy in a way that serves the public interest. Our review of the relevant literature indicates that the relief phase of antitrust cases is often treated as an afterthought, even in cases as important as monopolization findings under Section 2 of the Sherman Act. For example, Professor Lawrence Sullivan has observed: Perhaps the best hope is that, hereafter, courts facing structural remedy issues will get more help than they have customarily received from the Department of Justice. As Judge Wyzanski implied in *United Shoe Machinery*, the government is sometimes extremely casual about remedy.⁷⁴ A similar point of view has been voiced by Chief Judge Richard Posner (who attempted to mediate a settlement in this case):

Another reason for the poor record of divestiture as an antitrust remedy is that the government's lawyers tend to lose interest in a case at the relief stage. They derive both personal satisfaction and career advancement from the trial of an antitrust case, but gain neither from the post-trial relief negotiations and proceedings, which they frequently tend to pay scant attention.⁷⁵

In our experience, when similar issues arise outside antitrust, even in situations with far less significant potential economic consequences, agencies charged with making these determinations (in rulemaking contexts, for example) generally do so only after extensive fact-finding and, in some cases, hearings.

The public interest would best be served by a similar remedy proceeding in this matter

before any final decisions regarding settlement are reached. This hearing should be expedited in light of the urgency and rapid pace of change in the industry. A fact-finding process aimed at resolving the many complex issues in this matter is far more likely to result in a resolution that advances the interests of consumers than is a brief Tunney Act proceeding. If the court does not reject the RPFJ outright, we would urge the court to postpone the ruling now and modify the remedy after further evidence is offered during the next phase of the litigation. Thus, we certainly agree with the decision by the court to (in effect) use the upcoming remedy hearings on the proposal of the Litigating States to evaluate the RPFJ in tandem. This remedial hearing will be vital to assess the loss of competition cause by Microsoft's illegal exclusionary conduct. Comparing these two remedial proposals using the evidence gathered on the loss of competition during the court's assessment of the LS proposal will better enable the court to choose a remedy commensurate with the competitive harm.

In this section, we elaborate on the proper remedial goals and enforcement principles of an effective antitrust remedy. In the next two sections, we explain why the proposed RPFJ fails to attain these goals. We then discuss more effective, alternative remedies.

A. General Remedial Goals

The court has a deceptively simple task at this point in this landmark litigation: to decide whether the settlement reached between Microsoft, the Department of Justice and nine of the state plaintiffs is in the public interest, as that term is used in the Tunney Act, which governs this particular phase of the proceedings. We say deceptively simple because it is tempting to apply the standard for defining what is in the public interest that was announced by the Court of Appeals for the District of Columbia when it considered the 1994 consent decree reached between Microsoft and the Department: whether the decree stopped the practices alleged in the complaint brought by the government. *United States v. Microsoft Corp.*, 56 F. 3d 1448 (DC Cir. 1995).

However, such a standard is clearly inappropriate at the current point in this proceeding, for a very simple reason: a lower court has found, and an appellate court has affirmed, that Microsoft has engaged in a series of significant violations of the antitrust laws aimed at entrenching its OS monopoly and thwarting effective competition to it. The appropriate test therefore should be much stronger than in a typical Tunney Act proceeding.

The remedy clearly must halt all the practices the courts (in this case both the trial and appellate courts) have condemned as violations. But, in this matter, the test must be even broader than that. Now that the case has been adjudicated to a verdict, the public interest standard should be no different than the standard the courts would apply to any remedy that would be appropriate in an antitrust case. As the appellate court in this case made clear, that standard has been set forth by the Supreme Court in *United Shoe*: a remedy must not only unfetter a market from anticompetitive conduct but also must

terminate the illegal monopoly, deny to the defendant the fruits of its statutory violation, and ensure that there remain no practices likely to result in monopolization in the future. *Ford Motor Co.*, 405 U.S. at 577 and *United Shoe*, 391 U.S. at 250.

Applied to this case, these principles suggest that an effective remedy should accomplish the following. First, the remedy should terminate the conduct that the court has found to violate the antitrust laws. Second, the remedy should within a short period introduce competition into the operating system market. The key to the success of this goal will be the effectiveness of the remedy in reducing the applications barrier to entry as a means of establishing economic conditions most conducive to competition for operating systems. Third, the remedy should reduce the ability of Microsoft to project its current monopoly power into other markets, as a way of inhibiting Microsoft from reinforcing its monopoly in operating systems.

1. Terminating the Illegal Conduct

Any final remedy, whether a consent decree or a court-imposed judgment, should terminate all of the conduct found to be anticompetitive, and should prohibit such conduct in the future. In this regard, the decree should cover all of the conduct found by the court to be illegal. It should also be as specific as possible in describing the kinds of conduct that are enjoined. As discussed further below, the consent decree should provide effective incentives to comply with these conduct prohibitions. Finally, the decree should seek to avoid creating loopholes by which the defendant can maintain its monopoly through alternative means of exclusionary behavior.

2. Restoring Competition to the Level that Would Exist Today, But for Microsoft's Exclusionary Behavior

The consent decree ought to terminate the illegally maintained monopoly by restoring competition. Specifically, the decree should repair the loss of competition caused by Microsoft's unlawful anticompetitive conduct to destroy the middleware threat caused by Netscape and Java. The courts already have found in clear and convincing terms that Microsoft's conduct helped it to maintain its operating system monopoly. The consent decree should seek to restore the market to the competitive trajectory that it would have reached by now, had the illegal conduct never occurred.

This outcome demands more than simply requiring Microsoft's future conduct to comply with the antitrust laws. The central theme running through the trial court's Findings of Fact is that Microsoft's acts have chilled innovation and have therefore distorted the evolution of the software market. While history cannot be rewritten and the world has lost several years of increased competition in operating systems, an appropriate remedy can provide future innovation opportunities to current and would-be entrants. Adapting the court's own language, if one object of the remedy is to restore competition in the markets in which Microsoft competes, Microsoft's oppressive thumb cannot be effectively removed unless

⁷⁴ Lawrence Anthony Sullivan, *Handbook of the Law of Antitrust*, West (1977) at 146.

⁷⁵ Richard Posner, *Antitrust: An Economic Perspective*, University of Chicago Press (1978) at 89.

the scales of competitive fortune are themselves rebalanced.⁷⁶

In dynamic markets that are subject to network effects, such rebalancing will be required because competition does not automatically or instantly spring back to life when exclusionary conduct is ended. Network effects make monopolies durable. Microsoft will continue to enjoy significant monopoly power even if its illegal exclusionary conduct is stopped. Entry by new firms that once might have been possible may be no longer possible, even if additional exclusionary conduct is prohibited. Thus, an effective decree should seek to repair the loss in competition and jump-start the competitive process. The most straightforward and effective method of helping to repair the loss in competition in this matter is to craft a remedy (such as the full divestiture remedy described below) that directly and immediately creates the OS competition foregone as a consequence of Microsoft's illegal behavior. While more uncertain as to the ultimate effect, any other remedy should sufficiently reduce the applications barrier to entry (that the court found helped Microsoft maintain its monopoly) to enable the restoration of the lost competition. The middleware threat by Netscape and Java were on track to reduce the applications barrier to entry. Microsoft's panoply of unlawful conduct halted this growing competitive process in its infancy. Thus, an antitrust decree should either directly create the lost OS competition or contain specific provisions that enable applications vendors and potential platform competitors to surmount the applications barrier to entry that will continue to protect Microsoft's monopoly even after exclusionary conduct has been terminated. It should also attempt to recreate the strong independent middleware platform that would have been achieved by now in the absence of Microsoft's anticompetitive conduct over the past six years.

3. Detering the Recurrence of Monopoly through Future Anticompetitive Conduct

The consent decree also should deter continued or additional anticompetitive conduct that might allow the monopoly to recur. In this case, the condemned conduct included a variety of exclusionary behavior. It is insufficient simply to prohibit the continuation of this specific exclusionary behavior without also mandating penalties for new kinds of exclusionary behavior that the defendant might substitute for the conduct that is enjoined. Otherwise, the defendant is only encouraged to find alternative means of exercising its monopoly power. This remedial goal 37 should be of particular concern in this case because Microsoft has shown a willingness and ability to exploit poorly crafted decrees.

In evaluating whether the consent decree serves the public interest, the court should be mindful of factors that will tend to make poorly crafted conduct restrictions ineffective. For example, there is an asymmetry of knowledge between the courts and the defendant. Courts do not have perfect

information, and are likely to have incomplete knowledge and observation of Microsoft's conduct. As a result, all conduct compliance issues will require extensive investigation by the courts, if the conduct decree is vaguely crafted. In addition, there are delays in enforcement. And Microsoft has displayed a continuing pattern of the same exclusionary conduct. For example, Windows XP is more tightly integrated than any other previous version of the Windows operating system. Given these realities, a simple injunction that merely prohibits the repeating of past conduct clearly would be insufficient.

B. Enforcement Principles

Whatever the exact provisions of a consent decree, it must be enforceable if it is to be effective in achieving any objectives that the court deems appropriate. An enforceable decree is one for which violations of the decree are quickly and easily detectable, and for which the penalties for violation provide sufficient incentives for the defendant to remain fully compliant. If the decree is not so enforceable, it will not attain any of the three goals described above. The principle of quick and easy detection of decree violations requires that the consent decree have specific prohibitions. It must set clear and easily observed boundaries for impermissible conduct. A conduct decree that merely restates the antitrust rule of reason does not satisfy this principle.

The principle of enforceability also requires that the consent decree provide for specific and sufficient punishment for violations. A defendant may rationally choose to violate a consent decree, and would do so whenever the expected profits from doing so exceed the expected penalties. The expected penalties take into account both the probability of detection as well as the severity of the penalty in the event of detection. In order for these penalties to have deterrence value, they must be equal to or greater than the substantial benefit to the defendant of continued violations.

Enforceability also involves a time dimension. A defendant's decision calculus rationally takes into account the expected timing of both the profits and the penalties. This means that enforcement must occur rapidly, lest the defendant reap all of the benefits of the violation before it is stopped. This issue is a particular concern in a market like this one that is subject to rapid technological change and network effects. In this type of market, opportunities for meaningful competition to emerge may be sporadic. For example, if an entrant were destroyed as a change in technology was occurring, that opportunity for new competition might not reoccur once the paradigm shift was completed. Also, in markets where network effects are strong, monopolies tend to be entrenched and durable. This places a premium on swift enforcement. In addition, an effective consent decree should take into account the fact that the remedy in this case will affect deterrence of anticompetitive conduct in related markets, and even in unrelated markets. This case will set a precedent for the consequences of anticompetitive behavior in technology-driven industries. The consent

decree will send a message to other potential antitrust offenders. If the decree is a full and effective remedy, that message will be that there is no profit in violating the antitrust laws.

C. Implications for Evaluation of the RPFJ

These remedial and enforcement principles can be used to evaluate the RPFJ. They imply three serious flaws in the RPFJ.

First, the RPFJ is flawed because it does not even achieve the limited remedial goal it sets out for itself. The RPFJ is riddled with exceptions and loopholes that will prevent the middleware threat from becoming reestablished. It does not cover all the conduct that was found to be unlawful by the DC Circuit. It also ignores the market impact of Microsoft's illegal conduct. Having neutralized the middleware threat it faced from Netscape and Java, Microsoft has maintained its control over the course of the paradigm shift in computing, a time when the opportunities for new entry would otherwise be expected to be enlarged. There are no equally powerful middleware threats today to replace the ones that have been neutralized. Second, the RPFJ is flawed because it contains a defective enforcement mechanism. The RPFJ will be difficult to enforce in a timely manner and the penalty for non-compliance is weak. Therefore, the RPFJ will not deter future anticompetitive conduct by Microsoft. Third, the RPFJ is flawed because it is premised on improper remedial goals. The stated goal of the RPFJ is to "restore the competitive threat that middleware products posed prior to Microsoft's unlawful undertakings." (CIS at 3.) Instead, the proper goal should be to restore competition to the level that would have been achieved today in the absence of Microsoft's unlawful conduct. This goal is needed to terminate the unlawful monopoly, restore competition, and achieve real deterrence in the future.

We discuss these flaws next. Section IV analyzes the flaws in the context of the DOJ's own remedial standard and the associated defects in the enforcement mechanism. Section V then explains why DOJ's remedial standard is flawed and much too limited given the current status of this particular case. Section VI then discusses alternative, more effective remedies.

IV. The RPFJ Fails Under DOJ's Own Remedial Test

The DOJ's CIS claims that its RPFJ will restore competitive conditions to the market and will restore the competitive threat that middleware products posed prior to Microsoft's unlawful undertakings.⁷⁷ The DOJ argues that the key to the proper remedy in this case is to end Microsoft's restrictions on potentially threatening middleware, prevent it from hampering similar nascent threats in the future and restore the competitive conditions created by similar middleware threats.⁷⁸

Simply restoring competition to its condition prior to Microsoft's unlawful conduct is too limited a goal. The proper benchmark should be to achieve the level of

⁷⁶ Conclusions of Law at 44 (87 F.Supp.2d at 44), cited by the DC Circuit (253 F.3d at 78).

⁷⁷ CIS at 3.

⁷⁸ CIS at 24. 41

competition that would exist today but for Microsoft's illegal conduct. But even if the DOJ's goal were appropriate, the RPFJ still fails to satisfy even the low standard the DOJ has used. The CIS also fails to acknowledge that its goal is more difficult to attain today than it was in 1995 because Microsoft's illegal exclusionary behavior has substantially increased the applications barrier to entry. Moreover, even assuming counterfactually that market conditions today were basically the same as they were in 1995, the RPFJ does not restore the competitive threat that middleware products such as Netscape and Java represented in 1995 prior to Microsoft's unlawful conduct. Thus, the RPFJ fails to meet either the DOJ's own standard or the more appropriate remedial standard we outline later in this Comment.

As we observed in Section II, the computing industry in 1995 was in the process of shifting towards Internet-based computing and web-centric applications. At that time, OS entrants plausibly could have overcome network effects to create new competition in this market because the Internet has begun to render the desktop OS less important to users. Navigator and Sun's Java were at the center of this transformation, permitting users to easily access the Internet and Internet applications, while allowing ISVs to more easily write Internet applications. Through its unlawful conduct, Microsoft succeeded in neutralizing these competitive threats to its OS monopoly power. Netscape Navigator has all but been eliminated as a competitive browser. Sun's original plan for Java as the means for providing a platform to write applications for many operating systems was undercut by Microsoft's unlawful actions that succeeded in converting the version of Java that applications programmers use to a proprietary Microsoft platform.

The shift toward the Internet is now virtually complete, but rather than witnessing a corresponding shift to a more competitive landscape, Microsoft has succeeded in entrenching its OS monopoly power and extending its dominance to the Internet. In particular, Microsoft now controls APIs and other standards, applications and platforms in browsing, Java and multimedia. Web content and other web-based applications are now optimized for IE. In addition, contrary to the claims made by Microsoft at trial, there still is no meaningful competition for operating systems for desktop PCs.

Microsoft's more pervasive control over these various platforms means that independent software developers are even less likely to write to non-Microsoft platforms than was the case when the DOJ's case was launched. There is now no new Navigator or Java to challenge Microsoft's control. A new platform entrant must now be able to overcome an applications barrier for these additional applications as part of the process of overcoming the applications barrier for the desktop OS. Thus, the applications barrier to entry is higher now than it was before. As a result, the market landscape today is less favorable to competition than it was in 1995 prior to Microsoft's illegal conduct.

Thus, an effective remedy under the DOJ's standard would be one that is potent enough to enable OS competition in the face of this higher applications barrier, thereby restoring competition to its 1995 level. However, the RPFJ is not nearly so potent. First, the RPFJ does not enjoin all of the conduct that the court found to be in violation of the antitrust laws. Second, the RPFJ contains numerous loopholes and exceptions that render it ineffective. Third, the enforcement mechanism in the RPFJ is very weak and so will not deter further anticompetitive conduct by Microsoft. As a result, the RPFJ will not and cannot even revive the competition to that level which existed in 1995.

A. The RPFJ Does Not Prohibit All Unlawful Conduct

The DC Circuit clearly held that Microsoft's integration of middleware into the operating system by commingling of code for Internet Explorer and Windows was anticompetitive. Indeed, when Microsoft subsequently asked the DC Circuit whether, in effect, a sufficient remedy to the commingling could be met by allowing OEMs to remove the relevant icons, the Court denied Microsoft's clarification request in a per curiam order, noting in particular that [n]othing in the Court's opinion is intended to preclude the District Court's consideration of remedy issues.⁷⁹ Yet, the RPFJ does not remedy in any way this exclusionary conduct. In particular, the RPFJ contains no prohibition on commingling of code and no requirement that Microsoft offer versions of its operating system that do not commingle middleware and applications code. As a result, the RPFJ does not reduce the applications barrier to entry and thus cannot even return the state of the middleware competition back to where it was in 1995, let alone implement the competition that would have emerged in the absence of Microsoft's unlawful conduct.

The court also held that Microsoft's deception of ISVs by making its Java tools incompatible with Sun's Java was anticompetitive. This deception caused ISVs to become locked-in to using Microsoft's Java tools and helped to neutralize Sun's momentum with Java. Again, the RPFJ does nothing to remedy this harm.

The failure of the RPFJ to prohibit Microsoft from binding Internet Explorer or other middleware such as Windows Media Player and Microsoft Messenger to the Windows operating system is especially noteworthy because it is in direct conflict with the findings of the Court of Appeals. In its opinion, the DC Circuit stated that the technical integration decisions of a monopolist are subject to the antitrust oversight.⁸⁰ It also found that Microsoft's technological integration of Internet Explorer into Windows violated the antitrust laws by commingling the code.

Yet, despite these clear signals from the DC Circuit, the Department's proposed remedy

does not follow the court, but instead takes the opposite position. First, the definition of the operating system in Section VI.U. explicitly states that the software code that constitutes the operating system shall be determined by Microsoft in its sole discretion. This explicitly exempts all future commingling of code and other forms of technological integration from oversight under the RPFJ. Thus, Microsoft can evade all restrictions on middleware simply by embedding the code in the operating system. Second, the RPFJ does not require separation of the operating system from middleware code, but instead only requires that Microsoft permit OEMs to hide end user access to the middleware on the desktop. And, as discussed below, even this condition is subject to a number of significant loopholes.

The Senate testimony of Charles James contains no explanation of why the Department's approach is contrary to the Appeal Court findings. Indeed, Mr. James did not even include this commingling of code as one of the claims upheld by the Court of Appeals. He mentioned only the prohibitions on removing the Microsoft icons from the desktop.⁸¹ Thus, he essentially adopted Microsoft's view in its clarification petition, not the response rejecting it by the Court of Appeals. In light of the DC Circuit's strong statement in response to Microsoft's petition, the failure to include a commingling provision in the RPFJ is inexplicable.

The absence of any prohibition on binding middleware applications to the operating system is a fatal defect of the RPFJ. The ability to bind middleware programs to the operating system gives Microsoft universal distribution of its middleware products. Microsoft can ensure that a copy of its middleware is distributed with every copy of the Windows monopoly operating system.

The universal distribution by Microsoft of its middleware is something that no other competitor will have or could hope to achieve. The importance of Microsoft's unlawful acts that gave it dominance in middleware is that middleware competitors can expect to acquire at most partial distribution while Microsoft gets universal distribution. As a result, the RPFJ will not lower or remove the applications barrier to entry that protects Microsoft's OS monopoly. ISVs that write applications to the exposed APIs of middleware programs will continue to have the incentive to write first, and in most cases only, to the Microsoft middleware program that is commingled with the operating system that they know is installed on virtually every PC that is manufactured, even if end users or OEMs chose to remove Microsoft's desktop icon and direct end user access. In contrast, the benefits of writing to any other middleware are significantly lower, since no other middleware will ever gain universal distribution. Thus, the RPFJ will not reduce the applications barrier to entry.

Further, as found by the DC Circuit, OEMs have a very weak incentive to license and install a second version of a middleware program that already is included by

⁷⁹ Order, *supra* at 1.

⁸⁰ Judicial deference to product innovation, however, does not mean that a monopolist's product design decisions are per se lawful. (253 F.3d at 65.)

⁸¹ Statement of Charles James to Committee of the Judiciary (United States Senate), *supra* at 3.

Microsoft.⁸² As discussed in Section II, this is because the additional customer support costs would be substantial. This was one of the reasons that Microsoft's conduct had an anticompetitive effect even though OEMs were free to license and install Netscape's web browser. OEMs did not want to support two web browsers. These support costs will exist even if the Microsoft icons are hidden because the Microsoft middleware nonetheless will continue to be invoked by applications under some circumstances (RPFJ, Section III.H.) and even if the end user does not realize that it is installed. Thus, hiding the Microsoft icon does not eliminate the need for the OEM to support the Microsoft middleware.

The fact that competing middleware products can try to convince OEMs to carry their products and OEMs can change defaults or hide the Microsoft middleware icons from end users does not reduce the applications barrier to entry. Hiding the middleware icons is not the same as removing the code and the RPFJ allows Microsoft to encourage users to change the default back to the Microsoft middleware. In particular, the RPFJ allows Microsoft after 14 days to continually and automatically (with its desktop sweeper) attempt to persuade end users to revert back to Microsoft middleware that has been replaced by a third-party application. (RPFJ, Section III.H.3.) This raises the probability that a significant number of users will switch to the Microsoft middleware, even if just to get rid of an annoying reminder. This further diminishes the incentives of rival middleware producers to pay OEMs to carry their products and ISVs to write for middleware programs that compete with Microsoft middleware products.

The incentive to carry a second middleware application is further reduced because there are not now, and are unlikely to be in the future, applications with which non-Microsoft middleware interoperates. This is simply the chicken-and-egg applications barrier to entry all over again. It will ensure that Microsoft maintains its monopoly, and will continue to allow Microsoft to leverage its dominance into middleware markets such as media players and instant messaging. This means that the applications barrier to entry will not be reduced by the RPFJ. Two other aspects of the RPFJ also are relevant to the gauging the effect of the RPFJ's failure to proscribe commingling on maintaining the applications barrier to entry. As will be discussed in more detail in Section IV.B. below, there are significant limitations on the middleware "protections" in the RPFJ. One drawback particularly relevant to the need for a commingling prohibition is the fact that the middleware icon provisions only apply when Microsoft has a competing product. (RPFJ, Section II.C.1. and C.3.). For example, suppose that a competitor creates new voice recognition middleware well before Microsoft. To delay this program from becoming a ubiquitous middleware platform until it gets its own product established (and bundled into the operating system), Microsoft

can limit the ability of OEMs to display the competitor's icon or automatically launch the competitor's program, thereby preventing a competitor from getting a headstart.⁸³ Again, this flawed provision will make it harder for rival middleware to overcome the applications barrier to entry.

Similarly, there is a timing issue. Section III.H. of the RPFJ allows Microsoft to delay for twelve months the technical changes to Windows required to provide the OEMs with the ability to remove the icons or automatic invocation of Microsoft middleware. Our understanding is that such changes can occur much more rapidly than this. Thus, this provision simply provides Microsoft with even more time to cement its control over the OS. This will lead to ISVs having an even greater incentive to write applications to Microsoft middleware. This outcome will further reinforce the applications barrier to entry, yet another reason why the RPFJ is not in the public interest.

B. The RPFJ Contains Numerous Other Exceptions and Loopholes

The RPFJ is also shot through with exceptions and loopholes that limit its value even for those unlawful actions that the RPFJ does address. First, many of the prohibitions contain general language that reduces the provisions to nothing more than a general restatement of antitrust law. These exceptions obviously make the provisions difficult to enforce in a timely fashion. Second, the definitions and qualifications limit the scope of the coverage of the prohibitions and open up significant loopholes in the proposed decree. For these reasons, the RPFJ will not stop the violations and so is not in the public interest.

1. The RPFJ's Test of Reasonableness

Various prohibitions in the RPFJ include exceptions that permit Microsoft to carry out the conduct if it meets a test of reasonableness. Although on the surface these carve outs themselves may appear minor, in fact they eliminate the bright lines. Instead, these provisions reduce virtually the entire RPFJ essentially to, at best, a restatement of the general antitrust rule of reason standard, which prohibits unreasonable restraints of trade.

For example, Section III.F. of the RPFJ prohibits Microsoft from retaliating against ISVs (or Independent Hardware Vendors) for developing, distributing, promoting, using, selling, or licensing any software that competes with Microsoft's OS or middleware. But, this provision also contains an exception that Microsoft may place limitations on an ISV's development, use, distribution or promotion of rival software if those limitations are reasonably necessary to and of reasonable scope and duration in relation to a bona fide contractual obligation of the ISV to use, distribute or promote any Microsoft software or to develop software for, or in conjunction with, Microsoft (emphasis added).⁸⁴

⁸³ Of course, the other exclusions discussed later on that limit the middleware that is "protected" also help maintain the applications barrier to entry.

⁸⁴ As an additional protection against retaliation, Section III.B. requires uniform license agreements

Thus, to establish a violation of this provision, the government must prove that the limitations are not reasonably necessary and not of reasonable scope and duration. This sort of language is contained in statements of the antitrust rule of reason. Moreover, it is quite possible that this particular language in the RPFJ might be interpreted by a court as even more permissive than this. The benchmark for reasonableness under the rule of reason is competition and consumer welfare. The benchmark in the RPFJ is a bona fide contractual obligation. The RPFJ is silent on why the latter term replaced the former concepts, and what distinctions, if any, a future court should make between a bona fide contractual obligation and an anti-competitive exclusionary requirement. Thus, in the best of circumstances, this wording is likely to lead to still more antitrust litigation over its meaning.

Section III.G. contains a similar type of exception with respect to exclusionary contracts with IAPs and Internet Content Providers (ICPs), stating that Microsoft may enter into bona fide joint ventures or joint development or service arrangements that will effectively allow IAPs and ICPs to enter into exclusivity agreements that otherwise would have been banned by the RPFJ. Section III.A. mandates that Microsoft not withhold certain monetary or other consideration from OEMs as retaliation for dealing with Microsoft competitors. But, the provision also contains an exception that permits Microsoft to give consideration to OEMs that is commensurate with the absolute level or amount of the OEMs development, distribution or licensing of Microsoft products or services. At best, that exception would call for a rule of reason analysis, though this provision too may be even more permissive. These broad reasonableness exceptions clearly will make it difficult to enforce the decree: every time the government suspects Microsoft's non-compliance, it must prove a new, independent antitrust violation, complete with analysis of anticompetitive effect and efficiency defense, and possibly even evidence of market power. These elements will take time perhaps a long time to litigate, during which Microsoft can continue to operate unconstrained with its monopoly power intact. As a result, the exceptions mean that not only does the RPFJ fail to achieve immediate and certain relief, it also fails to eliminate litigation risk.

The Justice Department may say that such broad exceptions for reasonableness are necessary to permit Microsoft to compete. That is, of course, the rationale for the rule of reason. But, the considerations involved in a consent decree are somewhat different. In this case, Microsoft has been found to have

with uniform terms and conditions. But at the same time, it allows for volume discounts for either the OS or any bundle of OS products, and it expressly allows Microsoft to offer any other manner of discounts. While those discounts must be offered and available uniformly, Microsoft could creatively design discount programs to favor certain OEMs while still making the discount schedule uniform. In addition, Microsoft is free to terminate an OEM's license on 30-days notice for any other reason.

⁸² Findings of Fact 159, 210, (84 F.Supp.2d at 49–50, 60–61), cited by the DC Circuit (253 F.3d at 61).

violated Section 2 of the Sherman Act for a significant period of time in a variety of ways. To provide incentives for Microsoft to comply with the antitrust laws and to restore the competition lost as a result of Microsoft's actions, an effective conduct remedy must contain more than general guidance provided by the rule of reason. An effective conduct remedy requires specific limits with bright lines that are easy to enforce. This RPFJ has few of them, at best.

2. Limitations and Restrictions in the Coverage of the RPFJ

There are also significant restrictions on the coverage of virtually every prohibition in the RPFJ. Taken together these restrictions will dramatically complicate and delay enforcement of the RPFJ, greatly increasing the litigation risk. As the result, the RPFJ will be ineffective. We 50 provide some illustrative examples here, although this is only a sampling of the limitations and restrictions.

The RPFJ purports to give protections to competing middleware. For example, the definition of Non-Microsoft Middleware Products in Section VI.N. is limited to established middleware products those for which at least one million copies have been distributed within the previous year. Thus, the RPFJ would not apply to middleware of an emerging competitor that has not yet gained broad distribution. Nor does it apply to all existing middleware products, for example, Microsoft's Windows Explorer. Nor does it apply to third parties who repackage Windows with competing middleware. And even in the case of middleware that has met the distribution hurdle, the applicability of the prohibition does not come into play until the competitor has sold one million units in a single year (as opposed to having sold one million units in total). This will create an enforcement delay as new middleware struggles to overcome anticompetitive Microsoft behavior while awaiting the magic threshold of one million in annual unit sales.

Section III. D. of the RPFJ requires that Microsoft disclose the APIs for Microsoft middleware. For a new major version of such software, the disclosure has to be made no later than the last major beta test release. This proposed timing of disclosures makes them too late for rivals to be able to release competitive products contemporaneously. In addition, for new operating system products, the RPFJ requires disclosure only when there have been 150,000 beta testers. We understand that most beta tests are smaller than this. Further, nothing in the RPFJ limits Microsoft's ability to define a beta tester, thereby permitting the virtual absence of a timely release of the APIs. Collectively, these provisions ensure that Microsoft retains its first-mover advantage and thus a head start on any new middleware product.

Section III.D. also does not require Microsoft to disclose all the APIs for the Windows operating system, only the ones used by the Microsoft middleware. Thus, new middleware that relies on APIs not present in any of Microsoft's middleware would not have access to the necessary APIs. Moreover, even if Microsoft did rely on the relevant APIs, Microsoft could designate the

middleware as a component of the OS to avoid disclosing the APIs.

Indeed, the definition of Microsoft Middleware contains a huge loophole that could eliminate all API disclosures. API disclosures apply only to APIs used by Microsoft Middleware as defined by Definition J (not Microsoft Middleware Products, as defined by Definition K). Only "trademarked" code is considered Middleware, according to provision (b) of Definition J. But, the definition of "trademarked" in Definition T specifically excludes software for which Microsoft only claims a trademark in the term Windows or something else and attaches that trademarked name to another name for which Microsoft lacks or has disclaimed trademark protection. For example, it appears that "Windows Media" is trademarked but "Player" is not.⁸⁵ If Microsoft lacks or disclaims trademark protection for Media Player, then Windows Media Player would apparently not be considered Middleware. This then would imply that the APIs used by Windows Media Player would not be covered by the duty to disclose in Section III.D. The same argument could apply to Microsoft Internet Explorer, Microsoft Java Virtual Machine and Windows Messenger. This problem obviously is exacerbated by the fact that Definition U allows Microsoft "sole discretion" over the definition of the operating system. At the very least, these definitional questions create knotty issues that could be disputed by Microsoft in a compliance hearing before the court.

Another significant loophole is contained in Section III.J., which expressly allows Microsoft to withhold any APIs (as well as communications protocols) that relate to security, anti-piracy, anti-virus, encryption or authentication, digital rights management, keys, authorization tokens, enforcement criteria, etc. These are not obscure or minor exceptions, but instead relate to key applications that are at the forefront of Internet and network development efforts. These exceptions will prevent full interoperability between Windows and rival middleware.⁸⁶ In addition, this Section of the RPFJ gives Microsoft a laundry list of credible excuses for not complying with other parts of the decree. For example, Microsoft may claim that its Windows Media Player (WMP) contains protocols that relate to digital rights management. Yet, WMP is currently the dominant media player. Without access to the WMP APIs, the third-party development of middleware is that much more unlikely.

Even if none of the foregoing factors rendered the API disclosure ineffectual in repairing the harm to competitive middleware, Section III.J.2. of the RPFJ will discourage requests by ISVs and others for the APIs. This section permits Microsoft to demand that the ISV provide Microsoft with a reasonable business need for the APIs and permits Microsoft to test the software using

the APIs to ensure its compliance with Microsoft's specifications for use of the API or interface Microsoft thus will be in a position to delay and deny approval of the API use, to either destroy the competition or provide Microsoft with time to develop its own version before its rival. Consequently, ISVs in competition with Microsoft will be reluctant to seek the APIs to the extent it requires disclosing to their chief rival exactly what their next innovations will be.

Similarly, Section III. E. of the RPFJ requires that Microsoft make available any communications protocols that are used by a Microsoft client operating system to interoperate with a Microsoft server operating system. Other than providing that this disclosure be made on reasonable and non-discriminatory terms, there are no provisions as to when Microsoft has to make such protocols available, nor does the RPFJ spell out what it means to make them available. Microsoft's history of openness is relevant. Dr. Rebecca Henderson, a DOJ expert witness, testified earlier that: Even when Microsoft purports to make something open, it has discretion over how rapidly and how effectively it communicates the necessary information. [Findings of Fact] 391-393; GX 1931 (email thread about how Microsoft concealed the availability of the Java RMI class library on Windows). For example, many developers have found that even in the case of published APIs it is often critical to have access to additional information about the functioning of Windows in order to produce quality applications that run smoothly on Windows. [Findings of Fact] 337-340, 401 (First Wave agreements); GX 2276 (quoting Microsoft witness Gordon Eubanks). Since any middleware that desires to be genuinely cross-platform must be able to work with Windows and with IE, the ability to withhold information in this way or to use information as an inducement to ISVs to adopt Microsoft-controlled middleware remains a potent tool. In the worse case, Microsoft can use its control over the Windows operating system to ensure that consumers who attempt to use alternative middleware are met with a jolting experience.' [Findings of Fact NN] 160, 171; GX 334.⁸⁷

At bottom, the issue here is whether the RPFJ can ensure that all the necessary APIs and protocols are exposed and that the documentation is complete (including source code where necessary) and provided on a timely basis. There is nothing in the RPFJ that provides any comfort on this score. Thus, no ISV will be able to rely on this information for the purposes of creating cross-platform middleware. ISVs and others will have to wait for the enforcement mechanism of the RPFJ to more precisely define the scope of Microsoft's required obligation. But as we discuss below, the ISVs will likely be waiting for a substantial period of time before any such precision in the RPFJ is provided by the court in a non-compliance hearing.

⁸⁵ See, for example, <http://www.microsoft.com/info/copyright.htm>, which lists only Windows Media as trademarked.

⁸⁶ Interoperability is not a defined term in the RPFJ, an oversight that will invite litigation and make enforcement more difficult.

⁸⁷ Declaration of Rebecca M. Henderson, Public Redacted Version, April 28, 2000, NN47-48.

C. The RPFJ Contains a Defective Enforcement Mechanism

An additional problem with the RPFJ is its weak and defective enforcement provisions. Accordingly, the decree does not eliminate litigation risk or speed relief. It also means that Microsoft's incentives to comply with the decree will be greatly diminished. By its terms, the decree is scheduled to last for only five years, but in fact, its effective time period will be even shorter because of the various time lags already noted (and as further discussed below). As just one example, the key provision requiring the disclosure of APIs for Windows XP (Section III.D.) may not kick in until November 6, 2002. The sad irony is that the time period of the decree will be shorter than the period of time between the beginning of Microsoft's anticompetitive campaign and the implementation of the decree. To be sure, the enforcement provisions of the RPFJ set up a structure for monitoring Microsoft's conduct. First, Sections IV.B.-C. of the RPFJ create a Technical Committee consisting of three experts in software design and programming plus a Microsoft Internal Compliance Officer. The Plaintiffs and the Technical Committee are given various powers of access to Microsoft documents, code, employees, and physical facilities and a mandate to resolve any compliance issues informally. Second, if the Plaintiffs take issue either with the findings of the technical committee or with the proposed informal resolution, the Plaintiffs may petition the court for a more acceptable resolution.

The problems with this mechanism are so substantial that effective enforcement will likely be too little too late. For example:

- The Technical Committee is made up of software programming experts and will not include experts in the software business. Since most of the conduct by Microsoft that the courts found to be illegal involved exclusionary contracts, and since much of the consent decree consists of prohibitions on this conduct, it is unreasonable to expect that software experts will be effective and efficient monitors of potential consent decree violations.

- Microsoft has half the votes on the Committee, which greatly reduces the effectiveness of monitoring provisions of the RPFJ.

- The Technical Committee also has no enforcement powers. Its role is limited to fact-finding and informing Microsoft and the Plaintiffs as to its findings. Moreover, the Plaintiffs are prohibited by a confidentiality agreement from using the findings of the Technical Committee in an enforcement proceeding. Thus, although the Plaintiffs will have the burden of proving a violation, they will lack the benefit of using the findings of the Technical Committee.

- Enforcement of the RPFJ will involve significant delays that will destroy its effectiveness. After the Technical Committee expresses its concerns, the Plaintiffs will have to independently gather evidence on the compliance violation. Then, the Plaintiffs will have take Microsoft back to court and make its case that Microsoft has violated the decree, taking into account the exceptions and unreasonableness standards. This

enforcement process obviously will involve considerable time.

Microsoft also has an incentive to maintain its monopoly by erecting roadblocks to swift enforcement because any enforcement delay will accrue to Microsoft's advantage. As we discussed in Section II, the applications barrier to entry has protected Microsoft's monopoly. Thus, how the market has evolved over time affects the degree to which competition can emerge at any given moment. While the market is awaiting enforcement of the RPFJ, nascent technologies will die and potential new entrants will disappear from the scene, unable to overcome the applications barrier. By delaying enforcement, Microsoft decreases the likelihood that effective competition can realistically emerge.

Aggravating the problem of delays are the extremely weak penalties for non-compliance in the RPFJ. The only specific penalty spelled out in the decree is a one-time, two-year extension of the five-year decree. This modest penalty will not deter Microsoft from engaging in unlawful acts but instead will allow the defendant to continue to enjoy the fruits of its monopoly. Under current market conditions, with an entrenched monopoly protected by the applications barrier to entry, Microsoft's incentive is to delay justice for as long as it can. Indeed, that has been Microsoft's conduct so far; witness its latest petition before the court to delay the remedy phase for another several months.

Moreover, the weak penalty provisions apply only if the court finds that Microsoft has engaged in a pattern of willful and systematic violations. (RPFJ, Section V.) Any further relief and penalties are left unspecified, increasing Microsoft's ability and incentive to resist and delay.

D. Conclusions: The RPFJ Will Not Restore Competition

For all these reasons, the RPFJ cannot restore competition even to the level that existed prior to the onset of Microsoft's illegal exclusionary conduct. Even if in principle we could roll back the clock to the period before the introduction and destruction of Netscape Navigator and Sun's Java, Microsoft could continue to discourage the development and distribution of effective middleware almost as freely and effectively as if there had been no trial and no RPFJ. Thus, as low as the DOJ remedy standard is, the DOJ remedy fails to satisfy that standard. In any event, we discuss in detail in the next section, rolling back the clock is impossible: Microsoft's monopoly has become more entrenched since the beginning of the trial, while potential entrants with new products that might compete with Microsoft thus face even higher hurdles in gaining financial backing from venture capitalists.

The Justice Department might argue that these comments ignore the fact that the RPFJ will implement immediate and certain relief, free of litigation risk, arguing that in the absence of a settlement, the DOJ might contend that a full-blown remedy hearing process with inevitable appeals would result in substantial delay in implementation. And if that were to happen, the Justice Department might further argue that the

resulting court-approved remedy may be more lenient than the RPFJ.⁸⁸

We disagree on all counts. First, the enforcement of the RPFJ itself is fraught with substantial litigation risk. As discussed above, certain key provisions do nothing more than restate the antitrust rule of reason. These provisions would require the government to prove a new antitrust violation in an enforcement action. All of the other provisions contain significant exceptions and loopholes that will create litigation risk in an enforcement action. These provisions are difficult to enforce because they raise knotty definitional issues and provide Microsoft with significant defenses. The fact that the enforcement mechanism is defective further raises litigation risk. Indeed, it is not clear that effective enforcement is possible under the RPFJ.

Second, in our view, the potential litigation delay is an inadequate justification for the weakness of the RPFJ. Waiting an extra year or even two to obtain an effective remedy (once all appeals have been exhausted) is better than implementing a RPFJ that can only be characterized as a pseudo-remedy. In any event, certain key provisions of the RPFJ involve significant delays. In particular, the requirement in Section III.H. to allow end users and OEMs to remove icons is delayed for 12 months. The requirement to disclose and document Windows XP's APIs to ISVs and other potential middleware providers in Section III.D. does not take effect for 12 months. The disclosure of communications protocols is delayed for 9 months. And, as discussed above, the reasonableness test and other exceptions will lead to adjudication delays in any enforcement actions.

In recent statements, Assistant Attorney General James has attempted to justify this pseudo-remedy on the grounds that the DC Circuit significantly narrowed the case.⁸⁹ But the DOJ did not lose the case at the DC Circuit. To the contrary, the government prevailed on the Section 2 monopoly maintenance count, which is the core part of the complaint. The other counts were far less important and the conduct attacked in the tying and monopoly leverage claims provided the basis for liability for monopolization. The government won a great victory in this important case. That victory deserves an effective remedy that restores competition to this key industry in our modern economy.

V. The RPFJ Should Have Applied A More Appropriate Remedial Standard

In the previous section, we explained how the Justice Department's RPFJ does not satisfy the Department's own claimed goal of restoring competition to the level existing before the initiation of Microsoft's anticompetitive conduct. In this section, we explain why the Department's goal is not the proper standard by which to evaluate an antitrust remedy for illegal monopoly maintenance. The DOJ has set too low a standard.

⁸⁸ Statement of Charles James to Committee of the Judiciary (United States Senate), *supra*.

⁸⁹ *Id.*

A. Restoring Competition

The requirement in *United Shoe* that the remedy deny the defendant the fruits of its monopoly underscores why the standard set forth by the Department in its Competitive Impact Statement (at 3) clearly is incorrect. The standard in the CIS is simply to restore the competitive landscape as it was in the OS market in 1995 before Microsoft's unlawful conduct began. Of course, unlike the situation in 1995, Netscape has been destroyed and Java has lost its head start. They have now been replaced by Microsoft's own offerings. In order both to restore competition and deny Microsoft the fruits of its anticompetitive conduct, the court should restore competition to the condition it would have achieved by now in the absence of Microsoft's unlawful conduct. More broadly, the *United Shoe* standard requires the remedy in a monopolization case to terminate the monopoly. Clearly, the RPFJ fails to satisfy that standard as it leaves Microsoft's dominance intact. As set forth below, the additional conduct provisions suggested by the nine states that are not party to the RPFJ would at least give competition in the OS market a reasonable chance to work, particularly if also supplemented with an automatic structural remedy for significant violations of a revised decree. A structural remedy that actually terminated the Microsoft's OS market power at the outset would be even better because it would directly and immediately create the OS competition lost as a result of Microsoft's exclusionary behavior.

B. Need for a Remedy Hearing

At the same time that it sets too low a remedial standard, the RPFJ also attempts to short circuit the Tunney Act process of determining the whether the public interest would be served by setting a higher standard. The DOJ's RPFJ implicitly assumes that very little real competition was lost.⁹⁰ By contrast, as our discussion in Section II makes clear, the competitive impact of Microsoft's unlawful behavior has been significant and significantly more competition would exist in the OS market today were it not for that conduct. At a minimum, this court should evaluate through factual inquiry and an evidentiary record what that anticompetitive impact has been. This hearing process would be consistent with the DC Circuit instruction to the District Court to evaluate the actual loss in competition in fashioning relief. The passage of time since the closing of the trial record provides the court with the ability to explore and resolve this issue in a remedial hearing. The RPFJ not only would cut off such an inquiry, but it also simultaneously rejects the need for any such investigation by announcing a clearly inappropriate standard for assessing its adequacy. For this reason alone, the RPFJ fails the public interest test. Standing alone, the RPFJ would deprive this court of the ability to determine whether the RPFJ is in the public interest, or whether a

stronger remedy is needed to repair the loss in competition. Thus, we agree with the court's decision to evaluate the RPFJ in tandem with the hearings on the remedy proposal of the Litigating States and in comparison to that alternative remedial proposal.⁹¹

Whatever it is, the remedy in this case will have an ongoing, long-run impact on the course of the computer software industry, a key sector of our modern economy. Too weak a remedy will not repair the damage to the market and restore competition. Too weak a remedy will fail to discourage Microsoft from engaging in future anticompetitive behavior. Too weak a remedy will discourage new competitors from trying to attack Microsoft's illegally maintained monopoly while encouraging other new economy firms with monopoly power to maintain their monopoly positions with anticompetitive exclusion.

C. Evaluating the Impact on Competition

Simply because the Navigator and Sun's Java competition were nascent competitors does not lead logically to DOJ's apparent inference that there has been not much competitive harm from Microsoft's actions. These threats were nascent in 1995 but now six years have passed, a period of a shifting paradigm in which they would have grown to maturity. We believe that after this court conducts a remedy hearing, the court will conclude, as we have, that Microsoft's extensive unlawful acts have had a significant anticompetitive impact on competition. In particular, a review of the facts would take the following points into account.

First, we know that nascent competitors can lead to significant competition. We know now with much more certainty than in 1995 that the Internet has transformed the way we use PCs. It was this occasion of the paradigm shift that offered the opportunity to reduce, if not eliminate, Microsoft's dominance of operating systems.

Second, we know that Netscape Navigator and Sun's Java were at the center of this transformation in the computing paradigm. By neutralizing the threats of both Navigator and Sun's Java, Microsoft maintained its Windows operating system monopoly. As a result of its unlawful conduct, Microsoft has gained much greater control over computing in this new paradigm.

For example, MS Internet Explorer (IE) is now the dominant browser. As such, web content and other applications are now optimized for the IE standards controlled by Microsoft instead of Navigator or any other browser, and no other browser offers a plausible alternative as a platform for applications developers. Accordingly, barriers to entry for a new OS are now higher than they were in 1995. Similarly, Microsoft's Java implementation has become well established. Today many developers have acquired expertise in the use of Microsoft's Java tools and would need to bear switching costs to begin using Sun's Java tools. Consequently, Sun's Java has lost significant momentum that it by itself is unlikely to recover.

Third, as a result of the evidence contained in the internal discussions among the

Microsoft senior management, we know that Microsoft itself was greatly concerned about losing its monopoly power and control over the market during this paradigm shift and about the key role of Netscape Navigator and other middleware in this transformation. In and of itself, this concern is evidence that while nascent, the middleware threat would likely have become a substantial competitive constraint on Microsoft. We have previously (in Section II) cited Bill Gates' own concern that Navigator would commoditize the supply of operating systems. We have also noted that other Microsoft executives believed that IE could not beat Navigator on the merits.

Fourth, we know that in desktop operating systems, monopoly power has not been fleeting. Microsoft has maintained its monopoly over the course of the paradigm shift. The court has found that Microsoft engaged in a series of unlawful acts with the purpose of maintaining this monopoly. Thus, it makes no logical sense to assume that the illegal conduct failed to have its intended anticompetitive effects.

Fifth, we know that Microsoft has used the past six years to entrench the monopoly power of the Windows operating system and gain greater control over computing in the new Internet paradigm. In Section II, we noted that Microsoft's new OS, Windows XP, has technologically bound key Internet-gateway applications such as Windows Media Player to the operating system and its various browsers. In this way, Microsoft discourages software developers from writing their programs to competing middleware platforms. This also makes it harder for operating system competition to emerge.

Sixth, we know that as Microsoft's monopoly has become more entrenched, no alternative middleware threat has yet emerged that can match the significance of the threats posed by Navigator and Sun's Java in 1995. And, as we noted in Section II, the next middleware threat will face an even more imposing applications barrier now that Microsoft controls APIs and other standards, such as those for handheld computers, applications and platforms in browsing, Java and multimedia. Independent software developers are now even less likely to write to non-Microsoft platforms than at the close of the trial record. A new platform entrant must now be able to overcome an applications barrier for these additional applications as part of the process of overcoming the applications barrier for the desktop OS.

All in all, there is ample reason to believe that Microsoft's actions had substantial anticompetitive effects. By holding a remedy hearing, these effects can be made part of the record.

D. The Need for an Effective Remedy

In this environment, the RPFJ cannot restore the competition lost as a result of Microsoft's exclusion. That is because the potent threats that existed in 1995 most importantly, those posed by Navigator and Sun's Java are no longer competitive factors and Microsoft's monopoly has become entrenched and its power more pervasive. As Professor Romer has observed:

⁹⁰ For example, the CIS (at 11) notes that Navigator and Sun's Java had the potential to weaken the applications barrier and (at 16) discusses the process by which these two middleware technologies could have facilitated the introduction of competition.

⁹¹ 253 F.3d at 79–80, 106–107.

There is no way to revive the threat posed by the specific technologies that Netscape and Sun were developing, nor to recover the innovative efforts that were deterred by Microsoft over the last five years. The market has moved on.⁹²

To repair the loss in competition and deter future anticompetitive conduct, a remedy must restore the degree of competition that would have existed today but for Microsoft's exclusionary conduct. As stated by another one of the DOJ's economic experts on remedy, Professor Shapiro, the remedy should operate:

First, to prevent a recurrence in the future of conduct by Microsoft akin to its past anticompetitive behavior, and second to affirmatively bolster competition, which Microsoft has stifled. Given the goal of enabling, but not compelling, competition to Windows in the market for operating systems, it is important to identify, as best we can, the likely sources of such competition in the foreseeable future, both to make sure that Microsoft cannot blockade operating systems rivals, and to inform any remedial provisions designed positively to foster operating system competition.⁹³

Contrary to the DOJ's wishful thinking, the RPFJ cannot simply turn back the clock to 1995 and rerun history again, this time with Microsoft obeying the antitrust laws. To serve the public interest, the remedy must restore the degree of competition that would have existed today in the absence of Microsoft's anticompetitive conduct since 1995. To evaluate this loss in competition that must be repaired, the court must hold a remedial hearing, not simply accept the assertions of Microsoft and the DOJ that the loss in competition has been minimal, irrelevant or unknown.

We believe that after such a hearing, the court will conclude that a more effective remedy also is needed to provide deterrence against a recurrence of anticompetitive conduct by Microsoft. Under the DOJ standard, if Microsoft quickly squashes a nascent middleware competitor when it comes on the scene, the antitrust penalty will be small because of the small impact that competitor has achieved at the time of its demise. This rule will not deter but rather will simply encourage an even more rapid anticompetitive response to new entry. The more quickly Microsoft acts, the lower will be the implied penalty, because the more likely it is that the squashed rival would not yet have had any significant competitive effect. This remedial framework would create a vicious cycle of anticompetitive conduct and monopoly entrenchment. In the end, it would swallow up the liability standard and destroy deterrence, as monopolists find that they have little to fear from antitrust remedies.

VI. More Effective Alternative Remedies

In the Amicus Brief that we filed with this court,⁹⁴ we offered the court our views on the most effective remedy to the anticompetitive harms resulting from Microsoft's illegal

actions. While the DC Circuit only partially affirmed this court's decision—in particular, the core of the Section 2 violations—it still is our view that the panoply of illegal efforts of Microsoft to maintain its OS monopoly power requires the structural remedy we previously suggested.

A. The Full Divestiture Structural Remedy

We urged Judge Jackson to consider what we called full divestiture as the best means for addressing all the remedial goals in this case. We reiterate our recommendation to this court. The full divestiture remedy would contain two elements. First, it would divide Microsoft's businesses into two parts: the operating system and the applications, with the applications residing in a completely independent entity.⁹⁵ We have called this functional divestiture. Second, our proposed remedy would dissolve the monopoly of the operating systems. The dissolution of the Windows monopoly would be accomplished by effectively cloning the current Windows division into two additional companies, so that three distinct firms would have a full license to all the intellectual property of Microsoft's current OS division. We have referred to the functional divestiture combined with the dissolution of the Windows monopoly as full divestiture.

By placing the Microsoft applications such as Office into an entity (AppsCo) that is financially distinct from any operating system entity, the remedy ensures that AppsCo will have the incentive to provide applications for other operating systems, such as Linux and the Mac OS.

That is, Microsoft will no longer be able to ensure that its applications run only on Windows, thereby depriving Microsoft of critical means of raising and maintaining the applications barrier to entry to rival operating systems. By creating three separate operating systems entities (WinCos), the proposed remedy acts to ensure that at the outset, there will be competition in the sale of operating systems.

Why three OS entities? The experience of having just two competitors in a market, such as the duopoly that used to exist in the wireless telecommunications business before the number of licenses was expanded, suggests that having only two competitors in a market is not a reliable protection against monopoly. Significant price and/or quality competition does not generally appear until there are at least three firms. Moreover, in light of the significant barriers to new entry into the OS market, having three competitors provides a margin of safety. With only two competitors, if one stumbles and fails, the market would then revert back into a full-blown monopoly. In addition, with three competitors, the market is less likely to tip back to an operating system monopoly.

Full divestiture would completely meet the remedy goals in the case:

—It would immediately (upon a final verdict) create competition in the OS market. Because even a small increase in the relative price or quality by one of the Windows

companies could easily have a substantial impact on its sales, the three-way company split would stimulate price and quality competition in operating systems.

—Full divestiture would essentially nullify the applications barrier to entry. The barrier would be removed because, at the outset, developers would be able to write programs for all of the WinCos simultaneously. None of the WinCos would have an initial installed base advantage.

—Full divestiture would allow the market to develop unfettered from judicial oversight or other forms of intrusive regulation that accompany a conduct decree. In a matter this complex, a conduct decree will inevitably require that the court at some point become mired in various complex claims, such as whether a particular API is really covered by one of the exceptions in the decree, or that its disclosure is more difficult than initially contemplated, or that in any event, a waiver is justified in light of the benefits obtained. Even if the court sets deadlines, Microsoft can be expected to provide testimony from its managers claiming unexpected technical difficulties or that bugs have slowed the company down. It will be difficult for the court to sort out fact from exaggeration when such disputes arise. And the court will inevitably become the analog to Judge Greene's oversight of the AT&T decree, generating full employment for lawyers, economists, and software engineers. Certain criticisms of the full divestiture option have been raised, none of which we believe should hold back implementation of full divestiture.

The first criticism is that the creation of multiple Windows companies would fragment what is the Windows standard and lead to incompatible operating systems that would raise costs to ISVs and users.⁹⁶ On closer analysis, this criticism is not compelling. At bottom, this fragmentation critique is actually an attack on any remedy that fosters OS competition. It is competition, not the structural remedy, that arguably leads to fragmentation. And the argument simply assumes that competition would lead to significant OS incompatibilities among the three WinCos. This assumption is unwarranted. In the short run, there would not be a fragmentation problem because each of the Windows companies would be using the same existing APIs. Over the longer run, the economies of scale and network externalities (i.e., the large installed base of current Windows users) would create a powerful tendency for the WinCos to maintain a high level of compatibility and interoperability, if not an absolutely unitary OS standard. This would allow applications software developers to write programs for each operating system with minimum additional porting costs. Meanwhile, to the extent innovation in operating systems occurs, it is likely that new features would be added in modular fashion, so that the current core aspects of the operating system

⁹² Romer Declaration N7.

⁹³ Shapiro Declaration at 3 (emphasis added).

⁹⁴ Litan, Nordhaus and Noll, *supra* note 3.

⁹⁵ Judge Jackson's divestiture remedy involved only this functional divestiture. *United States v. Microsoft Corp.*, 97 F. Supp. 2d 59, 64–65 (D.D.C. 2000) ("Final Judgment").

⁹⁶ See, for example, Stan Liebowitz, *A Fool's Paradise: The Windows World after the Forced Breakup of Microsoft* (February 24, 2000) (<http://www.pub.utdallas.edu/liebowit/msstuff/newact.htm>).

would retain their common APIs.⁹⁷ In any event, if innovation is the price for fragmentation, then that is a good outcome because it will be competition at work.

The second criticism is that the break up of a unitary company like Microsoft would be disruptive and lead to redundancy in operating units. We agree that some disruption would be involved in the divestiture and that there would be some redundancy among the WinCos.⁹⁸ However, we believe that the resulting increase in competition and elimination of the ongoing need for the court to monitor, if not regulate, Microsoft makes these costs worth bearing. In any event, Microsoft has likely exaggerated these costs. For example, a writer for the Wall Street Journal reported that at least a dozen top managers at Microsoft are of the view that the company should be reorganized into smaller, competing units as a way of fostering more rapid innovation.⁹⁹ In addition, relative to other firms, divestiture here is easier to implement because Microsoft's key assets are embodied in its intellectual property, which can be shared rather than divided. This issue can be examined in more detail at the remedy hearing. A related criticism might be that while the intellectual property may be easy to divide among the WinCos, allocating the employees to the three entities in a way that will maintain their viability would be more problematic. Here, too, these concerns overstate the realistic difficulties of implementing this remedy. The critical employees may be higher-level managers, among whom there is enough shared knowledge about the development and deployment of new operating systems to permit them to manage the new companies. Further, there is likely to be enough lead time between adoption of the remedy and its implementation to ensure symmetry in knowledge among the managers of the WinCos. Finally, we suspect that other companies, notably the remaining major middleware, network and applications firms, are likely to jump at the chance to acquire a license on reasonable terms for the current version of Windows. At a minimum, before the divestiture remedy is written off for this reason, an inquiry into the willingness of others to license Windows ought to be made.

We continue in any event to believe that a structural remedy of the kind just described is most capable of repairing the competitive harm resulting from Microsoft's illegal behavior. That remedy is much more likely to result in a reduction in the applications barrier to entry confronting new operating systems than a conduct remedy. This is so because it would immediately introduce competition into the OS market. Thus, ISVs

would automatically be writing applications that are compatible with multiple OS competitors' products. By introducing real competition into the OS market, the structural remedy will be much more self-enforcing than would a conduct remedy.

B. Litigating States' Proposed Remedy

If the court rules out the full divestiture remedy, the conduct remedy recently proposed by the Litigating States certainly surpasses the Justice Department RPFJ by an order of magnitude and offers the promise of real competitive benefits. The LS proposal addresses all the antitrust violations and closes the gaping loopholes in the RPFJ. The LS proposal reduces the applications barrier to entry to a level closer to what would have occurred in the absence of Microsoft's exclusionary behavior. The LS proposal also greatly improves the mechanism for effectively enforcing the decree and increases Microsoft's incentives to comply. Comparing the LS proposal to the RPFJ demonstrates why the RPFJ is not in the public interest.

1. Addressing All Violations, Eliminating Exceptions and Closing Loopholes

The Litigating States proposal addresses all the violations found by the DC Circuit, unlike the RPFJ. The LS proposal directly remedies the commingling violation by proscribing the binding of any middleware code to the Windows code (or alternatively, by requiring that Microsoft to make available an otherwise identical version of Windows that does not include the middleware). More generally, the LS definitions make it more difficult for Microsoft to define middleware as part of the Windows OS. The proposal also requires Microsoft to include a Sun-compliant version of Java in Windows. Further, the LS proposal eliminates the most serious exceptions and closes the most egregious loopholes in the RPFJ. For example, we noted previously that the RPFJ permits Microsoft to terminate an OEM's license for Windows on 30 days notice. In the LS proposal, Microsoft must provide 60 days notice, provide the licensee with the reason for the termination, and provide the OEM with the opportunity to cure the problem. In addition, unlike the RPFJ, the LS proposal applies to third-party packagers as well as OEMs, thus further restricting the avenues by which Microsoft can harass distributors of rival middleware.

The LS proposal acts to prevent Microsoft from using the same exclusionary strategies to entrench its monopoly power by the newest type of Internet middleware. For example, the entire .Net strategy of Microsoft by which XP users are directed to the Internet to use a variety of Microsoft applications will be defined as middleware by the LS proposal. As a result, OEMs (and others) will have the option of licensing the Windows OS without the default direction to the Microsoft applications. Similarly, under the terms of the LS proposal, Microsoft must offer a version of Windows to OEMs and others that does not bind Windows Media Player and Windows Messenger to the Windows OS. In this way, developers of this kind of web-centric software that could develop into middleware will not face the same distributional hurdles that Microsoft placed in Navigator's way.

2. Reducing the Applications Barrier to Entry

Unlike the RPFJ, the LS proposal actually acts to repair the competitive harm by including four provisions that would reduce the applications barrier to entry. This is very important because only by reducing the applications barrier to entry can the loss in competition be repaired. First, the proposal requires that Microsoft license the source code for IE. This means that third parties can transform IE into a true independent middleware platform to replace Netscape Navigator, while helping to repair the loss in competition caused by Microsoft's destruction of Netscape Navigator. This is a much more effective remedy than simply hoping that another middleware platform will appear, as the RPFJ does. Second, the LS proposal requires that Microsoft distribute a Sun-compliant version of Java with Windows and with IE. This provision will help to repair the loss in competition caused by Microsoft's anticompetitive conduct towards Java that was affirmed by the DC Circuit. Although this remedy does not offset the loss in momentum suffered by Java from Microsoft's exclusionary conduct, it will help Java to become better established as a middleware platform. As a result, it will encourage software developers to write applications in Sun's Java. Third, the LS proposal requires that Microsoft license its Office suite of applications to other vendors, who then could port Office to competing operating systems. This provision should also reduce the applications barrier to entry by giving rival operating systems access to this important application. This porting provision also will prevent Microsoft from repeating its efforts to compel Apple to withhold support for competing middleware by threatening to terminate the production of Office for the Mac OS. Fourth, the LS proposal requires that upon a release of a new version of its operating system, Microsoft must continue to license and support the predecessor versions of the OS. This provision will prevent Microsoft from raising the applications barrier to entry by withholding the mandatory timely disclosure of APIs to would-be middleware contenders. In the absence of this provision, Microsoft could frequently offer new, slightly modified versions of the OS that render the middleware based on the predecessor APIs unworkable with the new version. Middleware developers would be discouraged if they knew that Microsoft could raise their costs simply by slightly revising the operating system code in a way that requires the middleware to be significantly modified. The LS proposal constrains the effect of this conduct by permitting the OEMs to continue to offer the previous version of the OS that is compatible with the rival middleware product.

3. Improving the Enforcement Process

The LS proposal also adds teeth to the enforcement process. Importantly, the proposal streamlines the indefinite and laborious process of investigating violations of the remedy. Of particular significance is the requirement that a Special Master be appointed to conduct investigations in response to complaints and propose

⁹⁷ A more extensive discussion of the flaws of the fragmentation claim can be found in Robert J. Levinson, R. Craig Romaine and Steven C. Salop, *The Flawed Fragmentation Critique of Structural Remedies in the Microsoft Case*, ANTITRUST BULLETIN (Spring 2001) at 135-162.

⁹⁸ There would not be significant redundancy between the AppsCo and the operating system companies because the way in which Microsoft is organized along functional lines. See Brier Dudley, *Microsoft Does Its Usual Spring Shuffle*, Seattle Times (Apr. 6, 2001) at C1.

resolutions on an expedited basis. Moreover, the findings of the Special Master may be used by the complainants in other proceedings, unlike any findings by the Technical Committee in the RPFJ. In addition, the penalty for a violation is not merely an extension of the term of a settlement (as in the RPFJ) that offers little in the way of constraints on Microsoft's behavior to begin with. In the LS proposal, if a violation involves Microsoft middleware, the court can order Microsoft to license the source code of that middleware. In the case of a pattern of violations, Microsoft also could be ordered to pay substantial civil penalties.

C. Recommended Modifications

If the court feels constrained to adopting a conduct remedy, then the proposal of the Litigating States clearly is far superior to the RPFJ. However, we think that it could be improved further by making several modifications.

First, although the more severe penalties in the LS proposal will increase Microsoft's incentives to comply relative to the RPFJ's compliance incentives, we prefer a more significant and definitive penalty for a pattern of material non-compliance: one that would require the court to order a full divestiture in the event of a pattern of material non-compliance. We favor this stronger stick because the rapid pace of change in the computer industry means that a failure of the remedy to fully deter anticompetitive conduct can result in substantial and ongoing harm to competition and innovation.

Second, we would strengthen the enforcement mechanism by requiring MS to self-certify compliance every six months. This self-certification procedure adds teeth to Microsoft's antitrust compliance program. It will increase Microsoft's incentives to comply with the order because false certification would justify more severe penalties. Third, in recognition of the rapid pace of change and the strength of network effects, the term of the decree should be left open. After five years, the decree should be reviewed to see whether it can be terminated or, alternatively, needs to be modified to make it stronger and more effective. Our concern is that if the conduct remedy fails to lead Microsoft to fully comply and compete on the merits, its current monopoly position will only become more entrenched over time. If the review concludes that the LS remedy has not been effective, the court could then extend the term, modify the conduct provisions in some way, or order a divestiture. Alternatively, if robust competition has become established, the decree could be terminated.

VII. Conclusion

Antitrust history contains important cautionary signals about the efficacy of conduct remedies, most notably, United Shoe itself. The government successfully challenged the practices of United Shoe, leading to a conduct decree in 1922.¹⁰⁰ When

that decree proved ineffectual, the government successfully challenged United Shoe for maintaining its illegal monopoly.¹⁰¹ This time, the government sought to divide United Shoe into three different companies.¹⁰² Judge Wyzanski in the main disagreed, instead ordering extensive and intrusive conduct remedies requiring ongoing judicial oversight.¹⁰³ Over time, it became clear that the conduct remedies failed to generate a more competitive marketplace and the government asked the court to break United Shoe up into two independent companies.¹⁰⁴ When Judge Wyzanski refused, the government appealed, and in 1968, the Supreme Court intervened and unanimously made clear that a structural remedy was the preferred remedy for monopolization cases.¹⁰⁵ In United Shoe, the conduct remedy failed to restore competition for decades after the initial finding of monopolization. In the interim, consumers lost the benefits that more decisive action would have generated.

Given the rapid pace of change in the computer industry, a long time lag between the initial detection of the problem and its ultimate resolution will impose substantial costs on consumers in terms of higher prices and lost innovation. Worse, unlike manufacturing industries, over time Microsoft's monopoly power will become even more entrenched (as a result of network effects, the applications barrier to entry, and consumer lock-in) if the LS proposal fails to reinvigorate competition. This will make it all the more difficult to implement an effective remedy in the future. At a minimum, an automatic 5-year review of the efficacy of the LS proposal will help ensure that the courts and consumers do not become victims of the passage of time if the conduct remedy fails.

Ultimately, however, it is vital that the court weigh alternative remedies before signing off on an adequate remedy that fails to protect the interests of consumers in this industry, and indeed because of the importance of this industry to overall economic growth, of the economy as a whole.

Respectfully submitted,
Robert E. Litan
Roger Noll
William D. Nordhaus
Date: January 17, 2002
Contact information:
Robert E. Litan
The Brookings Institution
1775 Massachusetts Ave., NW
Washington, DC 20036
202-797-6120

MTC-00013367

From: Paul Greatbatch
To: Microsoft ATR
Date: 1/17/02 10:56am
Subject: Microsoft Settlement

¹⁰⁰ United Shoe Mach. Corp. v. United States, 258 U.S. 451 (1922).

¹⁰¹ United States v. United Shoe Mach. Corp., 110 F. Supp. 295 (D.Mass. 1953), aff'd, 347 U.S. 521 (1954).

¹⁰² 110 F. Supp. at 348.

¹⁰³ Id. at 347-348.

¹⁰⁴ 266 F. Supp. 328 (D. Mass. 1967).

You will have to be the brave souls who make up for the failings of your predecessors.

Like a parent that is forced to deal with a troubled teen because they did not enforce discipline at a younger age, the current situation demands revolutionary, not evolutionary, action. The issue of structural remedy cannot be removed from consideration.

Fact: Microsoft has been found to be a monopoly.

Despite all PR and marketing effort to the contrary, this ruling is public knowledge and has been upheld in a separate ruling.

Fact: Microsoft has manipulated the marketplace to its own advantage to limit reseller, manufacturer and consumer choice.

The company has threatened the marketplace with drastic repercussions if matters do not run their course in a manner that is advantageous to its bottom line. It has forced competitors out of business, not by quality or innovation, but by abuse of its monopoly position.

Fact: Microsoft has made less than subtle threats that any action taken against it would be injurious to the nation's economy.

These statements have reverberated through the marketplace and political halls. The fact is, if the nation can weather September 11, it can weather structural remedies against an abusive technology company.

Fact: Microsoft has forced bloated and insecure software into the marketplace.

The term 'bloatware' is defined by Microsoft and its security problems are legendary. Even the FBI released an alert as of late asking users to disable features that are core to the future of Microsoft's .NET propagation. While this affected a relatively small number of users, it is the latest example of Microsoft's disregard for consumers.

Fact: Microsoft has amassed a huge cash reserve by avoiding tax payments.

The company skirts the tax laws by having a relatively few individuals hold a large portion of the company's stock, which translates to the company acting on the personal agendas of these few individuals as opposed to a wider variety of company shareholders.

Fact: Similar measures proposed in the past have done nothing to stem the growing monopoly power of Microsoft.

Again, to use the analogy of the parent: when grounding the child and removing their allowance for a few weeks does not resolve the behavioral issues, more stringent action needs to be taken.

An imposed structural remedy (3 companies: 1 for software, 1 for hardware, for internet) will not bring the economy crashing to its knees. The only people that will be upset by such a decision will be the few majority stockholders of Microsoft who have their personal agendas of greed and control upset by a long overdue, but deserving, punishment.

Best Regards,
Paul

MTC-00013368

From: Jeff Jay
To: Microsoft ATR

⁹⁹ David Bank, Breaking Windows: How Bill Gates Fumbled The Future Of Microsoft (Free Press 2001), at 182-183.

Date: 1/17/02 10:56am
Subject: Microsoft Settlement

I am very discouraged by Microsoft's naked monopoly in the system software and office productivity markets. The range of settlements that have been discussed do not begin to address the real problem.

I would like to see two or more companies competing with Windows software.

I would also like to see two or more companies competing with Microsoft Office software. Without this competition, the monopolies will continue.

Jeff Jay
356 Belanger
Grosse Pointe Farms, MI 48236

MTC-00013369

From: Rob Frohne
To: Microsoft ATR
Date: 1/17/02 10:57am
Subject: Microsoft Settlement
Hi Your Honor,

The proposed settlement seems like it could do as much to promote Microsoft's business as some of the monopolistic practices that it is supposed to punish. For example, it will probably have a large impact on Apple's last stronghold, the educational market. Perhaps a more fair solution would be for Microsoft to provide the cash to purchase the same amount of hardware and software for education, but let it be distributed among all computer manufacturers, or better yet, let the educators decide what they want to purchase.

Best regards,
Rob

MTC-00013370

From: John O'Brien
To: Microsoft ATR
Date: 1/17/02 10:57am
Subject: Microsoft Settlement
CC: John@oceancitylocal.com@inetgw
10505 Blue Heron Court
Bishopville, MD 21813-1477
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
January 11, 2002

Dear Mr. Ashcroft:

I am writing in support of the settlement reached between the government and Microsoft in the antitrust case. A lot of time has been spent on this, and I hope finally Microsoft will be able to get back to providing America with its innovative creations. I am dissatisfied with the amount of money now necessary to conduct business in the software industry due to government antitrust laws. I would like the legislature to review and update these laws so that the laws are applicable to today's technology industries.

I think the settlement is very fair, particularly Microsoft's willingness to grant computer makers broad new rights to configure Windows so as to promote non-Microsoft software programs that 'compete' with programs included within Windows. Microsoft's decision not to retaliate against computer makers and software developers who ship software that competes with anything in its Windows operating system is

also a key concession that will benefit competitors and consumers alike

In closing, I thank Microsoft for not wasting taxpayer money in a lengthy and costly legal battle and for being so generous with this settlement. I urge you to approve this settlement, and allow Microsoft to move on.

Sincerely,
John R. O'Brien
John R. O'Brien
443 497 0785 Mobile

MTC-00013371

From: Chris Manjoine
To: Microsoft ATR
Date: 1/17/02 10:58am
Subject: Microsoft Settlement
Dir Sir or Madam,

Coming from the Software development industry I know the power of Microsoft and their Market Share. They totally dominate the competition regardless of the alternatives benefits of these programs clients and business are not willing to use these technologies because of blind marketing that the Microsoft product will do what they need, when it doesn't. If they were as good of programmers as they were salesman I might be looking the other way. When we have a wealth of open source software and proprietary software out there and 90 percent of the consumers only know Microsoft because of its msnbc affiliation and on air campaigns to deflate and demote any competition.

We can see it in every market Home Entertainment, News Media, Computer Software. If they want control of a certain market, then they can have it. Without regards to the quality of the product.

We as consumers need to have a level playing field to base our decisions on the product.

I suggest one, deny Microsoft the right into other areas like television media, gaming media, etc. Make them focus on creating a good OS and Software for that OS. I liked the idea of breaking the company up into two companies that seems like it could work.

I hate and have no understanding of the idea that Microsoft would pay 1.3 or 1.8 billion to poor people in the form of computer education. Sounds like a Microsoft training camp to me. I don't want to get malicious here, but it seems like Microsoft is controlling what even the justice department is doing, and that makes me scared.

The problem with their current state is they are going above and beyond that. Using their control over the computer industry to establish control over others and you the government. I am not scared, but I should be.

Christopher A. Manjoine
Senior Systems Analyst
Research Information Systems
The University of Iowa
2 Gilmore Hall
Iowa City, IA 52242
Voice: 319-335-3019
Fax: 319-335-2130
Email: chris-manjoine@uiowa.edu

MTC-00013372

From: Elie.Charest@a2m.com@inetgw
To: Microsoft ATR

Date: 1/17/02 10:59am
Subject: Microsoft Settlement
Madam, sir,

I am not a U.S. citizen, but I do hope that you will consider my opinion to be valid nonetheless, for I am as much affected by Microsoft's monopolistic parties as if I was American.

I work with computers everyday. More than a job, they are a hobby—I often play the role of technical support for friends and family (my aunt actually called me for some info as I was writing this). Although only 32 years old,

I have bought my first computer in 1983, and have owned at least one ever since (I currently have 3 at home). I have been following the Microsoft Anti-Trust trial(s) since the very beginning, with great interest. Like many others, I do believe that MS has engaged in monopolistic activities. I also believe that their practices have led to a general stagnation in the quality of their product. However, it would be a difficult feat to effectively remove this monopoly, since they have become a de facto standard, especially with their OS (operating system) and Office suite of productivity software. It is their overwhelming market share, more than the quality of their product or their ruthless business tactics, that have made their monopoly unassailable as far as desktop computing is concerned.

Therefore, I do believe that the only suitable punishment to Microsoft (and they do need to be punished, otherwise they will continue with their unfair practices) is also the only one that has a chance of slowly reversing the perverse effects of their monopoly on healthy competition: to open up (i.e. release to the public) the entire source to the Windows API (application program interface) as well as the proprietary format of their office suites. Since these have become de facto standards, they should not be the property of a single company, but rather public domain and overseen by the appropriate government agencies. This will let other companies compete on a level playing field with Microsoft: other OSes (such as GNU/Linux) will be able to run software designed for Windows (such as MS Office) and Office suites from other companies will better be able to better integrate with that of MS, increasing their usability.

Everyone wins in such a scenario: individual consumers will have access to better, cheaper software, competitors will have a better chance of putting out viable software products, and large organizations that have to rein in their IT budgets (such as government agencies) will be able to switch to open-source OSes (Linux, FreeBSD) and still use Microsoft's Office program. Even MS will benefit in the long run—though they might lose sales at first, they will be able to concentrate on providing quality productivity software instead of managing the monstrous code of MS Windows all by themselves. By open-sourcing their OS (or at least the API), they'll benefit from the large community of voluntary programmers that already contribute to the rapid rise of Linux, Apache, OpenOffice and other successful open source projects.

Thank you for your time,
?lie Charest
Game Designer
Artificial Mind & Movement
www.a2m.com

MTC-00013374

From: JTM
To: Microsoft ATR
Date: 1/17/02 11:04am
Subject: Microsoft Settlement

To whom it may concern,
My "public comment" on the Microsoft antitrust settlement will probably be ignored since it's clear the DOJ has its own agenda, which is to allow MS to continue its monopoly. That is abundantly clear from the laughable proposed settlement recently turned down by a judge. Suffice to say, the DOJ is not doing its job, which is to protect the consumers from abusive companies like MS and promote competition, which is good for all involved, even MS in the long run. Oh well, perhaps when the administration changes again, the American public will get a DOJ that stands with them instead of the monopolists in this country.

Sincerely,
Tai Morris

MTC-00013375

From: pat
To: Microsoft ATR
Date: 1/17/02 11:07am
Subject: microsoft settlement
Pat Nye
14 Christopher Hall Way
Yarmouth Port, MA 02675
January 17, 2002
United States Attorney General John Ashcroft
950 Pennsylvania Avenue, Northwest
Washington, DC 20530

Dear Mr. Attorney General:

I am writing this letter today to show my support for the settlement that was reached between Microsoft and the Department of Justice last November. The settlement will provide a necessary boost to our struggling economy, and also places restrictions on Microsoft that were necessary.

Microsoft has agreed to reveal internal information about their Windows operating system to competitors. They will also design future versions of Windows to provide a mechanism to make it easy for computer makers to promote non-Microsoft software within Windows. This will open the IT industry up to more competition, which will spur the economy.

All in all, the settlement is fair to all parties involved. Microsoft will still have the ability to lead the industry, but the industry will be much more competitive. I fully support this settlement.

Sincerely,
Pat Nye
cc: Representative William Delahunt

MTC-00013376

From: JoShade@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 11:18am
Subject: (no subject) Settle the Microsoft case!

MTC-00013377

From: Andrew Miller

To: Microsoft ATR
Date: 1/17/02 11:17am
Subject: Microsoft Settlement
To Whom It May Concern:

I'm very disappointed that the Justice Department has sold out to Microsoft. I'm angry that a company can be found guilty of anti-trust laws, and then just told "don't do it again." If our entire country's justice system worked like this, we would be living in a state of anarchy. History has proven that warnings, consent decrees, and laws to restrict anticompetitive behavior just do not work with Microsoft.

To quote from Scott Rosenberg's article at <http://www.salon.com/tech/col/rose/2001/11/02/microsoft-settlement/index.html>

It's important to remember that this entire lawsuit arose out of the ashes of the failure of a previous consent decree to rein in Microsoft. Applying "behavioral" remedies once more at this late stage is like giving the class bully a mild lecture and then turning him loose in the schoolyard.

I find the proposed settlement to be upsetting, ineffective, and an injustice to the American people. I'm sure you're finding that many of my fellow Americans agree.

Sincerely,
Andrew Miller
Eau Claire, Wisconsin

MTC-00013378

From: WIDGEON212@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 11:20am
Subject: microsoft settlement
enough already; let's liberate the entire industry and get on with progress.
paul s. smith

MTC-00013379

From: Rutherford, Ronald
To: 'Microsoft.atr(a)usdoj.gov'
Date: 1/17/02 11:21am
Subject: Microsoft Settlement
Greetings. This is just a quick note to express my opinion that the Microsoft settlement, as it currently stands, is unacceptable and should be vacated. Microsoft has been found guilty of antitrust violations and should pay a much stricter penalty for those violations.

Thank you.
Ron Rutherford
Seattle

MTC-00013380

From: james.gergen@ca.com@inetgw
To: Microsoft ATR
Date: 1/17/02 11:20am
Subject: Microsoft Settlement
Good Day.

I develop software for many different platforms including Sun platforms. Though there are restrictions that have been imposed on OEMs and ISVs by Microsoft, I believe that overall, what is delivered by Microsoft via Windows operating systems, (including server platforms), is a great benefit to us, the consumers. I feel that the products of Microsoft encourage the use of personal computers for everyone. They make it easy and inexpensive for regular people (the consumers) to become technically savvy. I do not agree that Microsoft products (operating

system), are harmful to consumers or restrict the rights or abilities of users to choose.

I believe that the federal government is overstepping its bounds when it begins to interfere with the everyday business of any company.

Sincerely,
Jim Gergen
CC:james.gergen@ca.com@inetgw

MTC-00013381

From: Guillaume Family
To: Microsoft ATR
Date: 1/17/02 11:22am
Subject: Microsoft Settlement
Aloha,

Thank you for the opportunity to share my views with you.

I am not sure any punishment can repair the harm that Microsoft Corp. has inflicted on its competitors. The real harm that has been done though was to stifle the industry as a whole. I believe Microsoft Corp. has smothered innovation through their monopolistic practices, which is the real shame. From what I have heard through the media Microsoft Corp. seeks to install their software in our public schools as penitence. This is an insult to the public. There innovating idea is nothing more than a guise continuance of their illegal practice. If anything there punishment should include support for struggling entrepreneurs. Please do not let them greater market share in the educational market as a punishment; that would be a reward.

Once again, thank you for the opportunity to express my opinion.

Sincerely,
Joseph W. Guillaume

MTC-00013382

From: Hans Lambermont
To: Microsoft ATR
Date: 1/17/02 11:24am
Subject: Microsoft Settlement.
Honorable,

It has come to my attention that Microsoft has recently acquired fundamental patents for 3D graphics technology and techniques from SGI. This is a dangerous situation, as it grants Microsoft significant leverage over the independent 3D hardware manufacturers who are currently supporting the only rival to Microsoft's Direct3D graphics API, OpenGL.

Microsoft has in the past worked to delay and distract advances in 3D graphics technology, such as in the abortive "Fahrenheit" plan with SGI in the 1990s. During that period, SGI was transitioning from selling Unix-only workstations to begin selling workstations running Microsoft's Windows NT. At the same time, OpenGL was gaining on Microsoft's Direct3D in terms of features, hardware support, and developer support. If SGI wanted to sell NT boxes, SGI would have to agree to the Fahrenheit plan. The perfectly timed Fahrenheit deal slowed that advance of OpenGL by, among other things, reducing SGI's active promotion of it, and allowed Microsoft's Direct3D to gain a strong lead.

Yet OpenGL support still survived due to the interest of software developers and the support of third party 3D hardware

manufacturers. This latest move by Microsoft to acquire core 3D technology patents would finish the hatchet job, granting Microsoft the power to force third party 3D hardware manufacturers to drop support for OpenGL, and ultimately stifle competition and innovation in the marketplace.

Please do not let this come to pass.

Thank you,

Hans Lambermont

MTC-00013383

From: Ian Walters

To: Microsoft ATR

Date: 1/17/02 11:30am

Subject: DOJ- Microsoft proposed settlement

Attached please find a letter to Attorney General Ashcroft for filing with the court, in support of the Microsoft settlement.

1007 Cameron Street
Alexandria, VA 22314

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Christian Josi

Attorney General John Ashcroft

U.S Department of Justice

950 Pennsylvania Avenue, NW

Washington DC 20530-0001

January 16, 2002

Dear General Ashcroft:

ACU has, in the past, repeatedly requested that the Department of Justice and Microsoft settle their ongoing federal litigation. We were, therefore, very encouraged to learn that a proposed settlement has been reached and after reviewing its terms, we believe it to be in the public's best interest.

It is clear that the benefits of settlement far outweigh any potential benefits that could be realized through continued litigation. In general, the settlement of this case would allow Department of Justice resources to be redirected to other law enforcement needs—to include antitrust enforcement—and would bring certainty to the computer technology industry, its economic markets, competition and employment.

A review of the settlement itself shows that it contains provisions that penalize Microsoft for past conduct, regulate its future conduct, and provide for enforcement of the settlement. The enforcement mechanism provides that any person can notify the Department of Justice, the States, the Technology Committee, or the Compliance Officer of information indicating a violation of any provision of the settlement. Furthermore, the settlement establishes a Technology Committee comprised of three computer experts that have access to and can inspect Microsoft documents and personnel for the purpose of insuring compliance with the settlement. If the Committee finds evidence of a violation, it is obligated to immediately inform the Plaintiffs who, in turn, can seek compliance through the courts. In addition, the settlement requires Microsoft to appoint an Internal Compliance Officer whose duties include educating Microsoft employees on the settlement provisions and their responsibility to adhere to the settlement's provisions.

Established 1964 . . . The Nation's Oldest and Largest Grassroots Conservative Organization As Charles James, head of the Justice Department's Antitrust Division testified: "[t]he proposed decree contains some of the most stringent enforcement provisions ever contained in any modern consent decree."

Accordingly, we ask that you provide this letter to the Federal District Court in support of the revised proposed final judgement that settles the antitrust claims brought against Microsoft. Sincerely,

David A. Keene Chairman

Established 1964 . . . The Nation's Oldest and Largest Grassroots Conservative Organization

MTC-00013384

From: Felicity Marsh

To: Microsoft ATR

Date: 1/17/02 11:33am

Subject: Microsoft settlement

It is time to accept this settlement. You have already assisted a few companies to screw up the economy in their own interests for long enough.

F. Marsh

MTC-00013385

From: Mike Sebahar

To: Microsoft ATR

Date: 1/20/17 11:34am

Subject: Microsoft Settlement

Microsoft should be required to release all information about their Windows APIs as well as file formats for it's Office application.

This is the only way to allow true competition and innovation. Not their idea of "innovation", which is stealing other companies technology and changing the APIs so the competition's product breaks. And they should be carefully watched by a third party. Otherwise you have wasted all the taxpayers money on this anti-trust suit because they will weasel out of anything else.

Mike Sebahar

Halligan & Associates

203 N. Wabash

Suite 500

Chicago, IL 60601

mike_sebahar@halligan.com

www.halligan.com

MTC-00013386

From: Don C. Smith

To: Microsoft ATR

Date: 1/17/02 11:42am

Subject: Microsoft Settlement

Please do not allow Microsoft to donate \$1 billion worth of computers and software to schools as part of its settlement. That would unfairly infringe on Apple Computer's share of the education marketplace.

Sincerely,

Don Smith

MTC-00013387

From: Malcom (Art Dept)

To: Microsoft ATR

Date: 1/17/02 11:33am

Subject: Microsoft Settlement

Make Microsoft's API calls available for the public. Let them be a standard for computing calls.

Let true competition reign.

MTC-00013388

From: Marat A. Denenberg

To: Microsoft ATR

Date: 1/17/02 11:39am

Subject: Microsoft Settlement

Hello. I was informed that the Justice Department is accepting comments on the Microsoft Corp. settlement/case. I just wanted to drop you a line and tell you that from my perspective, the entire fiasco was nothing more than a farce. Antitrust legislation was never meant to provide the Justice Department with an excuse to harass monopolies. Instead, its intent has always been to stifle stagnant market behavior. How in the world can one perceive the computer operating market as stagnant? Not only are new iterations to popular operating systems released yearly, but there are plenty of alternatives as well. Among them: Macintosh OS, BeOS, FreeBSD Unix, SunOS, Solaris, Linux (and all its incarnations), and of course Windows. But that's not all . . . most of the time previous versions of operating systems compete with current ones. To make a long story short, perhaps the Justice Department should pay less attention to the whining of competitors who provide inferior products and more to the task at hand, which happens to be law enforcement.

- Marat

MTC-00013389

From: Jim Weise
 To: Microsoft ATR
 Date: 1/17/02 11:44am
 Subject: Microsoft Settlement

The terms of the proposed settlement of the Microsoft case seem fair and reasonable. I hope that DOJ will follow through and end this matter ASAP. We don't need to have government specifying how software is designed. In addition, It's disgusting to see that this issue was instigated by competitors of Microsoft and their political supporters.

The use of antitrust laws to disable market competitors calls in to question the rationale for such laws. We need to consider some serious changes.

Jim Weise
 14102 Chagall
 Irvine CA 92606
 714-402-6718

MTC-00013390

From: William A. Ogden
 To: Microsoft ATR
 Date: 1/17/02 11:48am
 Subject: Microsoft Settlement

Good Day,

Since college in the mid seventies, I am and have been a computer industry professional. Starting with main frame computers I moved to microcomputers in the late seventies. During the intervening years, I have been involved in programming solutions in FORTRAN to BASIC, from dBase IV to FoxBase, and from MS Access to FileMaker Pro. Working with CPM, Apple DOS, MS/DOS, Mac OS, and Windows, I provided a variety of professional computer services. I have designed, implemented and maintained network architectures. I have setup and maintained e-mail servers, file servers, web servers and many other network based services. I feel well qualified to comment on the proposed agreement between Microsoft and the United States Justice Department.

In the early days, I watched as Microsoft brought a level of professionalism lacking in much of the microcomputer industry. Their products, such as "Microsoft's CPM Card", were well thought out and implemented. Later, their GUI windowing products for the Mac OS were some of the best of class. Developed and available years before Microsoft Windows became popular, in the early nineties.

However since the mid to late eighties I have seen a change in Microsoft's professionalism. Rather than present products based wholly upon merit, which they did in the beginning, they began using questionable tactics to eliminate their competition. These questionable tactics, eventually found illegal by the courts, have eliminated my ability to choose which product I deemed best.

Watching the Microsoft anti trust trial during the last few years, I have been fascinated by the ups and downs of the case and also frustrated by it's lack of progress. I have followed the trial's proceedings in the news and have read many of the published legal papers. I am amazed by the number of times Microsoft's representatives twisted words and meanings in their testimonies,

giving all observers, including the judge, an impression of deceit.

Now Microsoft is guilty of breaking the law. The trial court said so and the Appeals Court affirmed it, unanimously 7 to 0.

And that takes us to the recent agreement between Microsoft and The Justice Department. Where, after reading the settlement agreement, I find no penalty and no punishment for Microsoft. Does this mean Microsoft is exempt from the Rule of Law?

What I do find is the Agreement regulates Microsoft's behavior, much like the agreement in 1994 where Microsoft consented ?to refrain from anticompetitive bundling and licensing of its Windows operating system.? (CNET News.com-September 25, 1997) And of course it was Microsoft's ignoring this decree that gave rise to the anti trust case. And even if the intent of today's Proposed Agreement is followed honestly and ethically, Microsoft's past successes using these, proposed banned, behaviors make any behavioral remedy moot. All effective competition has been eliminated, so how are behavior limitations on Microsoft going to jump start competition? Plus the Proposed Agreement puts Microsoft in charge as all competitors are under the requirement ?that the licensee?(c) meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business. (d) agrees to submit, at its own expense, any computer program using such APIs, Documentation or Communication Protocols to third-party verification, approved by Microsoft. . .?(section J 2(b),(c)) And even Microsoft could not meet the requirements under section J 2(a) of the Proposed Agreement. ?"Microsoft has demonstrated time and again that through their sheer power and immense wealth, they can easily evade behavioral remedies designed to constrain their unlawful activity," said Edward J. Black, president of the Computer and Communications Industry Association, which backs Microsoft's corporate adversaries.?

(www.nytimes.com/2001/09/07/technology/07LOBB.html)

Let me finish by asking the questions. How can any settlement with Microsoft be just five years? Particularly when section D requiring disclosure, and section H, of the Proposed Agreement does not require Microsoft's compliance for a year. How can any law breaker, proven and affirmed to be so in a court of law, not be punished? If you have enough money and you burn someone's house down, we let you go if you promise not to do it again. How can we, as a country based on the rule of law, allow a company proven to have broken that law, benefit from their crime and there be no material consequences.

I ask you to please find a way to bring fairness and open competition back to our industry. Let new ideas find a fertile environment to flourish. Please let the market place, not Microsoft's special interests, determine what software products and internet services I purchase and support.

Thank you,
 William A Ogden
 Director of Technology / Network &
 Technical Manager

wmogden@prairieschool.net
 The Prairie School
 4050 Lighthouse Dr / Racine, WI 53402
 Phone: 262-260-6808
 CC:WISAG@DOJ.STATE.WI.US@inetgw

MTC-00013391

From: Mark Kinzie
 To: Microsoft ATR
 Date: 1/17/02 11:41am
 Subject: Microsoft Settlement

To those concerned with the Microsoft Settlement,

I have been working as a software engineer for 20 years, and understand why Microsoft has the power to push others from the market, stifle competition from innovative companies, and to eventually gain control of nearly all uses of computers and communications: they have complete control over a resource that the vast majority of software written today is completely dependent on—the Windows API.

Microsoft controls the operating system that all other application software developers are dependent on. But Microsoft also develops applications. This gives Microsoft extraordinary advantages:

1) Microsoft can change the API, forcing all competitors to scramble to change their applications so they will still work with the new API.

2) Microsoft can use their knowledge of what the new API is going to be (knowledge that no competitor has) in order to be first to market with applications that work with the new API.

3) Microsoft has knowledge of the operating system that no one else has—essentially, part of the API that no one else can see or use. How can others compete when they don't have access to the same resources?

These advantages have allowed Microsoft to take control of the major types of application software in use: Office productivity software, Web browsers and email. Regarding their application software (in particular, Office), their control over the data formats of the software give them the same kind of advantages as control over the OS API's. For example: these days, if you're looking for a job, you need to be able to send your resume to prospective employers though email. Your resume essentially has to be in Microsoft Word if you want them to be able to read it (Word alone costs \$339.00). The competition's less expensive word processing software will claim to be compatible with Word (they have to), but it's not completely compatible because they don't have an established standard to write to. Microsoft controls the de facto standard, changes it at will, and is the only company that completely understands it.

Microsoft must open up it's API's and data formats so that all can play on a level playing field. This must be done in such a way that the unfair advantages described above are no longer in place. It might be argued that this unfairly causes Microsoft to forfeit some of it's intellectual property, and that the advantages listed above are not unfair and anti competitive. But Microsoft is a monopoly controlling critical resources. I've often tried to come up with an allegory to

explain the situation that Microsoft has to non-software people. I was never able to find an allegory that fits, and I finally realized why. It's because software is different than anything that's ever come before. We've just never had anything that is really like software that runs on a computer. You just have to learn about how software works to be able to understand the Microsoft situation. I'm concerned that there are not enough people in decision-making positions in the Department of Justice (or in Congress or the White House for that matter) that really understand how software is built. It's a crucial matter that is only going to grow more important as time progresses.

Thank you,
Mark Kinzie

The opinions expressed are my own, and not necessarily those of the Johns Hopkins University. —

Mark Kinzie
Johns Hopkins University Applied Physics Laboratory
mek@aurora.jhuapl.edu

MTC-00013392

From: Brian Clark
To: Microsoft ATR
Date: 1/17/02 11:42am
Subject: Microsoft Settlement

Hello,

I would like my comments on the proposed Microsoft Anti-Trust settlement added to the official record of public comments. As the person in charge of Information Technology for a 500 person company, I have not been happy with Microsoft's business practices for some time now. They have kept their software prices the same or higher, while everyone else in the industry has lowered their prices over the past five years. I believe that they have been able to do this because of their monopoly position in the market for both operating systems as well as internet browsers.

Due to their monopolistic actions, I believe that Microsoft needs a stronger remedy than the one proposed by the US DOJ. I believe that the proposal put forth by the States that dissented from the US DOJ settlement proposal is a more appropriate remedy. As a consumer of many, many Microsoft products, with little choice to change, I urge you to consider a stronger remedy than the current US DOJ remedy.

Sincerely,
Brian Clark —

Brian Clark
Vice President
Information Technology
BrannWorldwide
20 W. Kinzie, Suite 1300
Chicago, IL 60610
<http://www.brann.com>
312-494-8500 tel.
312-494-8501 fax

MTC-00013393

From: Darwin Campa
To: Microsoft ATR
Date: 1/17/02 11:52am
Subject: Microsoft Settlement

Honorables,

It has come to my attention that Microsoft has recently acquired fundamental patents

for 3D graphics technology and techniques from SGI. This is a dangerous situation, as it grants Microsoft significant leverage over the independent 3D hardware manufacturers who are currently supporting the only rival to Microsoft's Direct3D graphics API, OpenGL.

Microsoft has in the past worked to delay and distract advances in 3D graphics technology, such as in the abortive "Fahrenheit" plan with SGI in the 1990s. During that period, SGI was transitioning from selling Unix-only workstations to begin selling workstations running Microsoft's Windows NT. At the same time, OpenGL was gaining on Microsoft's Direct3D in terms of features, hardware support, and developer support. If SGI wanted to sell NT boxes, SGI would have to agree to the Fahrenheit plan. The perfectly timed Fahrenheit deal slowed that advance of OpenGL by, among other things, reducing SGI's active promotion of it, and allowed Microsoft's Direct3D to gain a strong lead. Yet OpenGL support still survived due to the interest of software developers and the support of third party 3D hardware manufacturers. This latest move by Microsoft to acquire core 3D technology patents would finish the hatchet job, granting Microsoft the power to force third party 3D hardware manufacturers to drop support for OpenGL, and ultimately stifle competition and innovation in the marketplace.

Please do not let this come to pass.

Thank you,
Darwin Campa
Enthusiast
darwin campa
darwin@yorb.net
ICQ √ 15104121

MTC-00013394

From: Alain Birtz
To: Microsoft ATR
Date: 1/17/02 11:53am
Subject: Microsoft Settlement >>>>

The Justice Department settlement is currently in a public comment period mandated by a law known as the Tunney Act. Through Jan. 28 the public is invited to send in comments on the proposal. >>>>

My suggestion: get the 1.3 billion offer by Microsoft and give this money to Open Source community.

Thank you.

MTC-00013395

From: JAMIKSEGE@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 11:53am
Subject: Microsoft Settlement

I am in favor of the Microsoft settlement proposal. I also feel this never should have been a matter for the State and Federal governments to be involved in and the amount of tax dollars spent to prosecute this matter is ridiculous. These tax dollars could be better spent on needs of the American people instead of lining the pockets of greedy lawyers.

MTC-00013396

From: Michael Caughill
To: Microsoft ATR
Date: 1/17/02 11:53am
Subject: Microsoft Settlement

Dear sirs,

From my understanding, the proposed Microsoft Settlement seems more like a Trojan horse to help Microsoft dominate one of the few markets they currently don't completely own: the education market. As any dictator will tell you, if you want to control people's minds you start when their minds are the most malleable. Childhood is when we form our earliest impressions. Do we really want to "punish" Microsoft by giving them unfettered access to our children's minds?

I don't think so. And I fervently hope not.

Sincerely,
Michael Caughill
Third Person, Inc.
205 West Highland Ave.
Suite 308
Milwaukee, WI 53203
T: 414.221.9810 F: 414.221.9812

MTC-00013397

From: Ronnie Davidson
To: Microsoft ATR
Date: 1/17/02 11:56am
Subject: Microsoft Settlement

I'm in favor of the settlement and an end to litigation. Thank you.

MTC-00013398

From: Newman Alan-P20582
To: 'Microsoft.atr(a)usdoj.gov'
Date: 1/17/02 11:57am
Subject: Microsoft Settlement
DOJ,

I am a software engineer who has designed software products for commercial and defense companies, using every Microsoft operating system since version 1 of PC/DOS extensively, and have similar experience with older and newer desktop operating systems. For four years, I was a Microsoft "Partner" developing under a Non Disclosure Agreement to Microsoft tools to be used in conjunction with Microsoft Word. I had great concerns that the grossly unfair practices by Microsoft that I had personally witnessed, but was forbidden to discuss per the NDA, would not come out during the recently completed antitrust case. Primarily for that reason, I have read most of the transcripts and rulings published on the DOJ website (listed at <http://www.usdoj.gov/atr/cases/ms-index.htm> <<http://www.usdoj.gov/atr/cases/ms-index.htm>>). Surprisingly to me, most of my concerns regarding Microsoft unfair business practices were adequately expressed in the trial.

I was very pleased that in spite of what appeared to me as gross obstruction of justice by Microsoft exposed during the trial (unbelievable faulty memories, doctored video evidence of lab experiments, memos planted in the "wrong" hands, etc.) that Judge Jackson was able to clearly separate misconduct in court from the facts pertinent to the case, and found both his Findings of Fact and Findings of Law completely accurate to everything I know about the case. I assume that addressing such probably criminal behavior in court should and will be addressed separately.

I am now disgusted beyond words by the near total lack of appropriate punishment, deterrent, and victim compensation in the latest DOJ settlement with Microsoft. It seems

to be less than a slap on the wrist to a company who I believe is a severe detriment to the software industry that I work in (non-competitively with Microsoft). I believe past and present Microsoft behavior is an excellent example of precisely what our antitrust laws were meant to protect the US economy and citizens and businesses from, but are failing terribly to do so with the current settlement offer.

Please do what you can to retract the current offer, and, at the very least, restore some semblance of deterrent to the settlement of this case.

Alan Newman
7411 S Rita Ln, #110
Tempe, AZ 85283

MTC-00013399

From: Richards
To: Microsoft ATR
Date: 1/17/02 11:58am
Subject: Microsoft Settlement

I do not believe that allowing Microsoft to give its products to schools is in the best interest of the public. The school system is the only area where Microsoft does not enjoy a monopoly. I believe that a "cash" penalty is required, which would allow the school system to spend the money as they wish.

MTC-00013400

From: Tim Cramer
To: Microsoft ATR
Date: 1/17/02 12:02pm
Subject: Microsoft Settlement

I must say that I'm very displeased with the current settlement. I may be biased as I work for a competitor to Microsoft, but the settlement is a mere slap on the wrist and offers no real benefit to consumers. In section III, prohibited conduct, you state that Microsoft can still offer discounts, market development allowances, & programs as long as they are "uniformly available" to all OEM's. It is not difficult for Microsoft to come up with ways of making things unattainable except to their "friends" such that they can receive the large discounts. Quite possibly, anyone offering non-Microsoft OS's will sell fewer Windows licenses and fall from the Top10 or Top20 volume group and lose their discount.

In sections D/E Microsoft needs to disclose ways of interoperating with Windows, but that doesn't mean "all" the ways. Frequently, what Microsoft has done is have "secret" API's that they use internally which are much more reliable or fast, thus gaining on the competition. The only way to truly know the APIs is to force Microsoft to publish the source code, something they are completely unwilling to do. I don't believe that this judgement goes nearly far enough to protect us from the Microsoft monopoly. Now Microsoft moves to take over the internet with its .NET architecture, seeking to grab a percentage of every transaction taking place on the internet and holding private records for everyone with a Passport account (which all HotMail users have to have as well as anyone who gets Windows XP, eventually everyone). Microsoft has serious security breaches on a nearly weekly basis, I would love an alternative to .Net/Passport and I hope we get one, but it won't happen while Microsoft destroys all competition.

Tim Cramer
21601 W Lochinvar Ln
New Berlin, WI 53146
262-446-4931

MTC-00013401

From: Chuck Stolt
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/17/02 12:03pm
Subject: antitrust

Microsoft has consistently abused its monopoly position to harm competition. The US government has spent a lot of taxpayer money in order to prove this in a court of law. Now, close the deal and punish Microsoft in a just way. Microsoft is an important company, no doubt, but they cannot be allowed to continue with their current business practices. Allowing them to give software to the schools is not right. Apple has traditionally been in that market and you would effectively be pushing them out of the market. You are playing the way Microsoft plays and that is not right. You must come to a decision which punishes Microsoft. Judge Jackson saw Microsoft for what they were and now it is time for the correct judgement.

MTC-00013402

From: CAHARLER
To: Microsoft ATR
Date: 1/17/02 12:10pm
Subject: Microsoft Settlement

To Whom It May Concern:

My wife and I are 100% behind the agreement that Microsoft made with the Department of Justice and nine states. The agreement is fair and it is time that we settle this debate. Microsoft has been the forerunner in its field, and we see no reason to jeopardize a fantastic company. In most free countries of the world, companies are subsidized by their governments. Microsoft is a free enterprise—has tremendous wealth—and innovation. Technology is changing on a daily basis and if want to continue our lead in this arena, we must let Microsoft innovate and get on with their business. We have not been hurt one bit by Microsoft's innovation and products. We remember only too well the nightmare before Windows was introduced. We believe that the settlement is in the public interest. Do not listen to those other competitors who would destroy Microsoft as a viable company. Thank you for your time.

Mr. Joseph Iacono
Mrs. Linda D. Iacono
2186 Graystone Drive
Sumter, SC 29150

MTC-00013403

From: cbuxton@mac.com@inetgw
To: Microsoft ATR
Date: 1/17/02 12:20pm
Subject: Microsoft Settlement

Hello.

I think the proposed settlement stinks. The other 9 states have come up with a far more reasonable proposal, though I think it still lets Microsoft off way too lightly. Their objections to the alternate proposal amount to, "But we thought we weren't going to actually be *punished*! This is punitive!" Please. . . That's the *whole point*! Make them sorry they violated the law, so they

don't do it again. With the DoJ settlement proposal, Microsoft is not punished in any way; instead, they continue to profit from their misdeeds.

Chris Buxton

PS: Do you need any identification from me, such as evidence that I'm a US citizen? Of course, anything sent electronically could easily (very easily) be faked, but I thought I'd ask.

MTC-00013404

From: Gannon Timothy
To: Microsoft ATR
Date: 1/17/02 12:23pm
Subject: Microsoft settlement
January 17, 2002
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street, NW
Suite 1200
Washington, DC 20530-0001

To Whom It May Concern:

I hope that the United States Department of Justice will reconsider the decision to settle the Microsoft antitrust lawsuit and follow the lead of the nine state attorneys general who have rejected this decision to let Microsoft off with a slap on the wrist for its monopolistic practices.

Numerous consumer groups disagree with the decision to settle because they know Microsoft has not been given any serious reason to change any of its practices. Price gouging of consumers will continue. The market will continue to lack choices for consumers. Consumers will doubly suffer as they pay more in an uncompetitive market, while the executives of Microsoft move from being millionaires to billionaires thanks to monopolistic profits.

I am proud that my state's Attorney General, Tom Miller, rejected this Microsoft agreement. I believe that Mr. Miller and the other eight state attorneys general see the many problems with an agreement that does little to affect change in the computer software industry. Splitting Microsoft into two or three companies may not be the proper response, but neither is this.

Your decision to prematurely end litigation against Microsoft is a mistake. A real opportunity exists for the Department of Justice to take a stand and protect not only consumers, but also our free market society. Whereas the agreement does nothing to protect neither consumers nor smaller companies striving to compete, further litigation could effect real change. Please continue to go after Microsoft.

Sincerely,

Tim Gannon
2834 Forest Dr.
Des Moines, Iowa 50312
CC:Iowa Attorney General

MTC-00013405

From: david.hunt@syngenta.com@inetgw
To: Microsoft ATR
Date: 1/17/02 12:33pm
Subject: Microsoft Settlement

Microsoft should be forced to make the codes for all of their software open. Until programmers can make software that works under both Windows and other operating

systems, there will be no real competition for Microsoft.

David A. Hunt
Trinity, NC

MTC-00013406

From: AGDCK
To: Microsoft ATR
Date: 1/17/02 12:36pm
Subject: Microsoft Settlement
To: Dept. of Justice
From: AG & Delorice Kessinger
Subj.: Microsoft Settlement
Date: 1/17/02

The penalties being placed on Microsoft is a disservice to "Free Enterprise", also, a disservice to the world. The companies/States that are crying should be told to go home and "think of a better way". If the Gov't, DoJ, etc want to get onto something or make a name for themselves, they should go after the "Cable/Elec/Water Companies", now there is a monopoly. Everyone is at the mercy of their rates/rules/etc.

Microsoft has gone out of their way to make the cry babies happy, but nooooo, some just want more out of an Enterprising Company.

MTC-00013407

From: Jim Applebaum
To: Microsoft ATR
Date: 1/17/02 12:36pm
Subject: Microsoft Settlement

Dear Sir or Ms.,

I believe the proposed DOJ settlement with Microsoft is just and should be implemented as soon as possible.

Thank you,
Jim Applebaum

MTC-00013408

From: dmason
To: Microsoft ATR
Date: 1/17/02 1:29pm
Subject: microsoft settlement

I say get off Microsofts' Back. There Software, Hardware, or whatever made it Easier for an Oldman on the High Side of 77 to Learn to Operate A Computer !

Dale Mason. The Above referred to
OLDMAM

MTC-00013409

From: Steve Wiedemann
To: Microsoft ATR
Date: 1/17/02 12:39pm
Subject: Microsoft Settlement

As a computer professional who deals with many platforms in the multimedia space, the behavior of Microsoft is, in my view, highly anti competitive. The entire industry outside of Microsoft understands that products based on interoperable standards is the key to developing better technologies. All developers may contribute to technical advances as long as the platform remains agnostic, or at least not hostile to a chosen technology. Individuals and companies can compete on a fairly level playing field with the knowledge that users can take advantage of technical advances. Everyone can contribute to our technical landscape and the consumer will see the benefit.

Unfortunately, Microsoft sees every technology it doesn't own as competition that must die. To that end, they have the power

to manipulate the platform [which should be standards agnostic] to cripple or disable the software offerings of their perceived competitors. Microsoft does understand that new technologies not originated by them have a market and they will offer a [generally] crudely inferior substitute for the competing software, thus redirecting the channel of demand to go to Microsoft's door, rendering competing technologies irrelevant and damaging the ability of the user to obtain the performance they seek.

New technologies are either purchased by Microsoft or killed off. If a cross platform technology is purchased or co-opted by Microsoft, most of the cross platform functionality is stripped away to ensure the dominance of Windows and the irrelevance of anything else. If a technology cannot be purchased by Microsoft, a simple change to their operating system or the [now] bundled browser will ensure their version of a similar technology will be as good as it gets.

Microsoft is moving away from interoperable standards as fast as they can. They have already significantly damaged the ability to use technologies like QuickTime, the crown jewel of multimedia, and are working to replace it with the laughable Windows Media Player. Since Microsoft's software integrates very well within Windows, whatever media formats Windows Media Player cannot handle, Internet Explorer or Windows itself will take over thus requiring the complete Windows environment to do things formerly done with the highly agile cross platform QuickTime. As a result, developers write software that speaks specifically to Windows integration which slowly pushes better technologies aside. Since Microsoft makes it very clear which technologies will succeed and fail on the Windows platform, developers have no choice but to develop to the system that ensures success. In effect, Microsoft is dictating

what technologies developers may and may not use, not based on any written orders but on Microsoft's actions designed to pave the road to their sole success. Developers who tow the Microsoft line are handsomely rewarded. Developers who do not will find themselves struggling to open avenues of opportunity. This is technical censorship to the benefit of one company and at the expense of the better world it could be. The Microsoft .NET strategy is intended to render the Internet useless for anyone not using a complete Microsoft sanctioned technology chain. Their goal is for anyone not using Microsoft products to see a blank screen on the Internet which would be a tragedy beyond belief. They are using this precious time while the courts are tied up with delays to entrench these Microsoft specific technologies and entrap millions of individual and enterprise users in their net.

Don't let this happen. It is up to the courts to do the right thing. Break Microsoft into pieces where each division will contribute the good parts of their software to a standards based, interoperable world. Deny Microsoft the ability to leverage Windows to force the rise of their own products at the expense of better technologies and better user experiences. Microsoft will perform better as

a company and will serve the industry better if they broken up and are forced to become less self interested. Otherwise, we are doomed to sink further into a mediocre technology landscape. —

Steve Wiedemann
Sr.VP, Director of Technology
Henninger Media Services
703.908.4018
<http://www.henninger.com>

MTC-00013410

From: Brad Werth
To: Microsoft ATR
Date: 1/17/02 12:45pm
Subject: Microsoft Settlement

Dear Sir or Madam:

I earn my living as a software professional. Over the course of the last seven years, I have found my creative options more and more limited as Microsoft products dominate various parts of the software marketplace. My preferred operating system, database, word processor, and web browser have all inevitably been subverted by inferior Microsoft replacement products. In order to do my job I am quite literally forced to use Microsoft software which is less suited to my needs as a software developer. There is no choice in the software market. The proposed DoJ and nine-state settlement will do nothing to remedy this situation. The original remedy proposed by the Clinton-era DoJ and the eighteen state Attorneys General would be much more effective.

Please push for a breakup of Microsoft. I want to be able to choose the tools for my job.

Thank you,
Brad Werth
werth@efn.org

MTC-00013411

From: Gregory Slayton
To: Microsoft ATR
Date: 1/17/02 12:39pm
Subject: Microsoft Settlement Judge:

It is imperative that you send the PFJ back to the DoJ to correct the most glaring mistakes (of which there are many).

We in the software industry are counting on you.

Thanks.

Gregory Slayton
Gregory W. Slayton
Chairman of the Board
ClickAction Inc
<http://www.ClickAction.com>
Direct Line: 650-463-3944
Assistant: Dawn Scardina—650-463-3912
Fax: 650-473-3646
Non nobis Domine

MTC-00013412

From: Dave Tharp
To: Microsoft ATR
Date: 1/17/02 12:44pm
Subject: harassment of microsoft

It is time to stop harassing Microsoft for being an innovative company that tries to expand into other areas of the related technologies. The settlement which was presented and accepted by many of the litigants is more than fair to them and acceptable, though not necessarily fair to Microsoft. It is time for those companies who live in the shadow of Microsoft's innovative enterprise, due to their own lack of same, to

quit whining and settle! I strongly urge the Department of Justice to require the remaining companies to settle so innovation in technology may continue!

Sincerely,
David Tharp
19400 n. Westbrook Pkwy
#142
Peoria, AZ 85382

MTC-00013413

From: Erin Baccus
To: Microsoft ATR
Date: 1/17/02 12:58pm
Subject: Microsoft Settlement

I believe it is important that Microsoft as well as its competitors are able to design, create, and market software as they can. I don't work in the high tech industry, but it doesn't take a genius to realize the importance this case holds. Microsoft just has better products, not unfair practices. Please settle this lawsuit once and for all and put our tax dollars to fighting something the country really cares about.

Erin Baccus
erinbaccus@msn.com

MTC-00013414

From: Robin Colgrove
To: Microsoft ATR
Date: 1/17/02 1:01pm
Subject: Microsoft Settlement

I am sure you are getting a lot of mail, so I will be brief.

I am writing to oppose in the strongest terms the current settlement proposal. Its remedies are incredibly weak and depend entirely upon the goodwill of Microsoft for implementation. Microsoft has already made it clear from its flouting of previous settlements that it has no intention of complying voluntarily with restrictions on its behavior. Even its public statements have made it clear that they have not even accepted their guilt in this matter, despite being convicted, having -some- of the counts upheld unanimously on appeal, and having the convictions be allowed to stand by the Supreme Court. I think it is outrageous that a company found guilty of multi-billion dollar crimes should be allowed to negotiate about whether and in what fashion it should be penalized. This can only increase the perception that the law exists to hammer the poor and that sufficient wealth can buy one a free pass to violate the laws of one's choosing.

It is sometimes said that Microsoft's actions have only helped consumers and that the legal cases against them come only from their competitors. This is grossly untrue. I have been using computers for over twenty years and use on a daily basis computers of all types including Windows, UNIX, and Macintosh machines. Microsoft's practices of monopoly lock-in hurt me every day. Over and over, whether in access to hospital clinical data, NIH grant applications, presentation results, and many other types of data, I find I am forced to use Microsoft software, even though I don't like it and don't want it, not because it is better, but simply because it has an illegally-maintained monopoly. It has taken me enormous effort and resources over the years to keep my

laboratory running in the face of the constant pressure to conform to the Microsoft standard. Since this monopoly has been found to be maintained and extended illegally, this represents substantial harm to me and to millions of people like me.

There are many examples of great harm caused by the Microsoft monopoly (the squashing of innovation, the forced cycle of "upgrades", the loss of consumer choice, etc.), but I want to comment on one area where I have special expertise: viruses. I am a virologist and have studied both real and computer viruses for many years. In the mid-90's, many of us warned that the Microsoft practice of embedding automatically executable programming scripts into its programs (first Excel, then Word, then Outlook/Exchange, and now XP and .Net) posed a serious security risk to users in that they could be used to write software viruses. Again and again this has proved all-too true with one virus after another and billions of dollars in damage done. This is not the place for a technical discussion, but though no system is perfectly safe, these viruses are far, far easier to create and spread using Microsoft software than with UNIX/linux or macintosh alternatives. Virtually all the significant virus damage in the past decade has come from easily correctable flaws in the way Microsoft makes its software. Microsoft does not correct them because the intertwined web of embedded auto-executing code is an important mode by which they achieve customer lock-in and monopoly maintenance/extension. No one would put up with this level of customer abuse except that people and institutions feel they have no reasonable choice but to use Microsoft software. No company could have gotten away with this except one with an illegal monopoly. For this reason alone, Microsoft deserves large and serious penalties. Many good ideas have been advanced for improving the proposed settlements. I want to emphasize two. First, one of Microsoft's key tools in illegal monopoly maintenance has been to use secret file formats and undocumented "API's" connecting to other programs, making it very hard for competitors to write compatible software. As part of any reasonable settlement, Microsoft must be forced to make all its file formats and API's public at the time the software goes on sale. Microsoft complains that this would strip them of intellectual property but this very tellingly misses the point that they have been found guilty and have earned large penalties for themselves. Second, there must be rapid and serious enforcement of any settlement provisions. The court record shows very clearly how Microsoft has worked to subvert earlier agreements and in so doing they have lost the chance to have a settlement based upon good will.

Microsoft is at present a company with an adolescent character, arrogant and self-absorbed, unconcerned with the harm that they cause others. They will not grow up by choice. Like previous monopolists (such as IBM) or would-be monopolists (like Intel), they need strong Justice Department pressure and the real threat of further serious penalties in order to mature as these other companies have done. As others will point out,

Microsoft is a product of vigorous anti-trust action (against IBM, who otherwise would have absorbed them in the '80s), and is a champion of government intervention in the market (in intellectual property protection). It is typically juvenile of them to claim exemption from anti-trust law now, and is exactly why the Justice Department needs a much stronger and more strictly enforced plan for any settlement that will truly be in the public interest.

Sincerely,
Robert C. Colgrove MD
Division of Infectious Diseases
Beth Israel Deaconess Medical Center
Harvard School of Medicine

MTC-00013415

From: Joseph Sitoyen
To: Microsoft ATR
Date: 1/17/02 1:13pm
Subject: Microsoft Settlement

I hope the Microsoft Settlement truly remedies the anti-trust nature of Microsoft's dominance of the operating system and software market. In order to ensure that they receive more than a slap on the wrist, a meaningful action must be taken which will ensure competitiveness. Any settlement must require Microsoft "to standardize and publicize the entire set of Windows APIs and the file formats of its Office applications (another key to Microsoft's monopoly "lock-in")—with the express goal of allowing competitors to build Windows software applications, and operating systems, that compete with Microsoft on a level field," as Scott Rosenberg has previously stated. Such a requirement would truly make the Anti-Trust Division worthy of its noble origins.

Respectfully,
Joseph Sitoyen
Cheyenne, WY

MTC-00013416

From: Charles A Schuster
To: Microsoft ATR
Date: 1/17/02 1:14pm
Subject: Microsoft Settlement

Enough is enough. Please get off Microsoft's back and let them help the economy grow.

MTC-00013417

From: Joshua Gramlich
To: Microsoft ATR
Date: 1/17/02 1:16pm
Subject: Microsoft Settlement

I believe that the DoJ's settlement with the Microsoft corporation is wholly unacceptable and an egregious error. The proposed settlement has no "teeth" and will only result in further damage to the American consumer, damage which Microsoft has already inflicted upon us for years.

Never mind the anti-trust suit, implications of tax evasion have come to the attention of the public with the idea that Microsoft is refusing to pay dividends to its stockholders because of the enormous tax payment they would have to make on such dividends.

You tell me why a company that has \$18 billion in CASH is not paying dividends.

Microsoft has continually perjured themselves in Federal Court, flagrantly disregarded the rulings of said court, and

now, the DOJ seems to be willing to let the most monopolistic company since Rockefeller's Standard Oil off the hook.

What gives?
Joshua Gramlich
3505 N. Seminary Ave. #2
Chicago, IL 60657

MTC-00013418

From: K. Payne
To: Microsoft ATR
Date: 1/17/02 1:17pm
Subject: Microsoft Settlement
To whom it may concern,

I've been reading online of Microsoft's recent purchases of OpenGL technology. I am VERY disturbed about the potential problems of this. They have been working against OpenGL ever since they started developing DirectX and DirectX3d. I'm sure MS would love to kill all 3rd party efforts in the 3d graphics world so their new Xbox and similar technologies can totally dominate the planet. PLEASE DON'T LET THIS HAPPEN!!!
Kenneth Payne (B.S. in C.S.)

MTC-00013419

From: Stephen J. Lemmons
To: Microsoft ATR
Date: 1/17/02 1:20pm
Subject: Microsoft Settlement

Dear Sir or Madam;

For a new of years I have been watching Microsoft, its products, and the way it conducts business. I've also followed the "Monopoly" court action along with the various proposed settlements. Based on what I have observed, I would like to submit the following comments.

1. Over the years in many court actions, Microsoft has agreed to settlements with promises to discontinue its various inappropriate actions/conduct. In each instance, when things have quieted down, they returned the very same conduct that caused the legal action to be filed. Their promises and signed legal documents mean nothing to them.

2. If they can't get a company to license a feature from their copyrighted software, if possible, Microsoft tries to purchase the company. Case in point; FoxPro, Inc. After purchasing FoxPro, Microsoft Chairman Bill Gates stated in an interview for Database Advisor, that Microsoft would continue to produce FoxPro for DOS (that would at that time have been FoxPro 3.0 for DOS). To date this program still hasn't seen the light of day.

3. Despite court orders to "Unbundle Internet Explorer" from the Windows Operating System, Microsoft to this date has refused to do so. In fact, several of their software packages will not install unless you allow them to put Internet Explorer on your PC.

4. A new software manufacture started up in September or October of 2001. They are offering an alternative to Windows. At Christmas time, Microsoft filed a lawsuit alleging trademark infringement due to the company's name and its products name. The names are easy to distinguish between.

I have read both the federal governments proposed sanctions against Microsoft and the proposed sanctions by the states that disagree with the federal governments. In both cases,

the boat has been badly missed. These sanctions are nothing more than the same type of things done previously with Internet Explorer and in other cases against Microsoft where they continued to what they wanted, placing themselves above the law. There is only one way Microsoft can be brought back in line and made to follow the law like the rest of us; that being a split up into at least two, if not three separate companies. One would develop and produce operating systems, another would develop and produce internet browsers and server software and the last would develop and produce productivity software such as MS-Word, MS-Excel, MS-PhotoDraw, etc. Failure to bring Microsoft back in compliance with the law will have a major negative effect on the development and production of new software and hardware.

Respectfully,
Stephen J. Lemmons

MTC-00013420

From: David R. Plas
To: Microsoft ATR
Date: 1/17/02 1:26pm
Subject: Microsoft Settlement

To Whom It May Concern:

I am writing in reference to the U.S. government's anti-trust action against Microsoft. I strongly support the position of the Dept. of Justice that Microsoft exerts monopoly power in the computer software marketplace. I also agree that splitting up Microsoft is not the proper mechanism for dissolving the monopoly. However, the goal of the government must be to find a way to prevent Microsoft from leveraging its control over the Windows OS into domination of other areas of the software market. To this end, I strongly support forcing Microsoft to publish all API's of any current OS on the market, and 3 months in advance of any future release of the Windows OS. Publication of the Windows APIs would prevent Microsoft from possessing an unlawful advantage in the fabrication of software that runs within the Windows OS. In effect, Microsoft would be forced to behave as two separate companies: one with rights to modify the OS as it pleases, and another that must work with the published tools provided by the OS to compete with other companies in the development of software. Assuming Microsoft competed well in the marketplace, this remedy would benefit the company by insulating it from further lawsuits concerning anti-trust matters. It would also have obvious benefits for the public and competing companies. Whatever remedy you do pursue, please do not try the previously failed tactic of behavior modification combined with fines. These don't work for any aggressive company, and have already failed in the Microsoft matter. Take a decisive step to end this harmful monopoly.

Thanks for the opportunity to comment on these issues.

Yours,
Dave Plas

MTC-00013421

From: Ritkat@aol.com@inetgw
To: Microsoft ATR

Date: 1/17/02 1:35pm
Subject: Microsoft Settlement

In my mind the most un-American thing the US Government has ever done was to bring the suit against Microsoft. One thing this country seems to have a problem with is the American Dream. Bill Gates has lived it and the government can hardly wait to crush him. The lawsuit was stupid. If there was a better operating program than Windows the inventors should put it out there and let the free market decide. Some did and the market decided. They wanted Windows. I want Windows. I want the Federal government to leave Microsoft and Bill Gates alone. Stop trying to kill the American Dream. If the Clinton Administration had been putting its efforts in the correct places 911 would never have happened. But it was too busy trying to crush Bill Gates and Microsoft. End the whole thing.

Kathleen Webb
3108 E. Sierra St
Phoenix, AZ
602-971-5541

MTC-00013422

From: Powell Billy Contr WRALC/LBR
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/17/02 1:33pm
Subject: Microsoft Settlement

Recommend that case be settled and not further litigated. The current agreement with the 9-states is tough, reasonable, and fair to all parties involved. Let's put an end to the unreasonable demands still being pushed by the remaining 9-states.

Billy Powell
2712 Highway 96
Fort Valley, GA 31030

MTC-00013423

From: J. Scott Houchin
To: Microsoft ATR
Date: 1/17/02 1:41pm
Subject: Microsoft Settlement

Hello,

Here are my comments on the Microsoft Settlement. The number one goal for the settlement should be to restore a competitive environment where multiple competitors are able to effectively compete to provide application and operating systems products to the consumer. The settlement must allow Microsoft's competitors to do three things:

To write applications that run on Microsoft Operating Systems with equal access to the power and services of the operating systems as do Microsoft applications - To create alternate operating systems that will run applications written for the Microsoft operating system just as well as those applications run on Windows - To create applications that can interchange data and files with Microsoft applications with 100% interoperability There can be no compromise on this issue, as this is the root of Microsoft's illegal exploitation of a monopoly position.

While it is possible to debate a specific solution that meets the requirements I listed, I personally believe that there is only one valid solution that will truly restore a healthy competitive environment: -Microsoft must be forced to publicly document all application programmer interfaces (API's) to the

Windows operating system (both current versions and future versions) and to network accessible products (such as a .NET servers or IIS). The scope of this disclosure must include all software libraries and compiled software that ships with any Microsoft operating system or server product, regardless of whether Microsoft considers that software element a core part of the product, or part of an included add-on service.

- Microsoft must be forced to publicly document all file formats used by its operating systems and application and server products (i.e. the Microsoft Word .doc file format). This will allow users of third party applications to easily and interoperably exchange data with users of Microsoft applications.

- A license to use any relevant intellectual property (with respect to the API's and file formats) must be given to any software developer on a royalty-free and non-discriminatory basis.

- There should be no set duration to these restrictions on Microsoft behavior, the restriction of a healthy competitive environment is dependent on the hard work of third-party providers and the willingness of the buying public to purchase third-party products. The government should consider removing these restrictions only if (through the hard work of third-party developers) Microsoft loses their monopoly position.

Only with all four of these elements would a third party developer be able to create an alternate operating system or application that complete on a level playing field with Microsoft products.

An added benefit to this solution is that, for Microsoft to maintain their monopoly, their efforts must be focused on creating products that are truly better than those of their competitors. For example, if I could purchase a third-party operating system that ran all of my existing Windows applications and read all of my existing files, but never crashed, Microsoft would need to also make modifications to their operating system to reduce the amount it crashes. Even if the majority of people continue to purchase Microsoft product, the buying public still wins, as we are provided with better products.

Once a settlement has been reached, a method to oversee the implementation and compliance with the settlement must be put in place. While some may believe that a specific oversight committee that works with Microsoft will solve the problem, I believe that in the end, that solution will be overly expensive to the public (in terms of tax dollars used to support the committee) and will not be effective.

I believe that the best possible oversight committee is the general software development public. As was proposed a few years ago by a columnist in InfoWorld magazine, I believe that the best way to ensure that all API's and file formats are properly documented is to post a reward, payable by Microsoft, for any developer that discovers an API or file format feature that has not been publicly documented. A suitable starting reward would be US\$10,000,000, payable to the developer

himself (or maybe to a non-profit organization of his or her choice) upon confirmation by a government appointed oversight committee. This reward would increase for every additional API for file format feature that is discovered (i.e. discovering hidden API number i requires a reward of US\$10,000,000 times i).

The benefit of this solution is great:

- The actual work to verify the documentation of API's and file formats will be spread across a very large number of people, for which doing this work is in their own best interest, by ensuring that they are able to complete.

- The monetary penalty is large enough to be significant given the current financial position of Microsoft, especially if multiple hidden API's are discovered.

- The cost to US taxpayers would be minimal, as the only work that would be required by a government appointed oversight committee would be to verify the discoveries of the public.

In addition, as the US government works to give final resolution to the Microsoft issue, please remember that Microsoft was found guilty of illegally exploiting their monopoly position, and that the guilty verdict was upheld by the Appeals court. In effect, there really is no settlement, in that the law does not require that Microsoft be allowed to provide input on their punishment. The US government, through the justice system, must put in place a solution that serves the best interest of the US public at large, which in general will mean that it is not in the best interest of the Microsoft Corporation.

I have great fear that by allowing Microsoft to pick their own punishment, we are setting a very dangerous precedent for future cases, both civil and criminal.

Thank you,

J. Scott Houchin
42 Sunny Mill Lane
Rochester, NY 14626-4440 —

MTC-00013424

From: James Gowans
To: Microsoft ATR
Date: 1/17/02 1:40pm
Subject: Renata,
Renata,

It is good news to hear that the settlement on the Microsoft antitrust lawsuit will be coming to an end. Please consider this letter a letter of support for the settlement. It is time to help the technology back on its feet and start the innovations and ideas coming again.

Sincerely,

Jim Gowans, Representative
Utah House of Representatives

MTC-00013425

From: Anne Schwartz
To: Microsoft ATR
Date: 1/17/02 1:42pm
Subject: Microsoft Settlement

Dear Attorney General Ashcroft:

Please find attached my letter concerning my thoughts about the US Department of Justice's current lawsuit with Microsoft. I would greatly appreciate your reading it and consider my point of view as you finalize matters with this case. If you or your staff or

colleagues have any questions or remarks about the attached letter, please feel free to contact me.

Thank you in advance for your help and consideration with the Microsoft settlement.

Sincerely yours,

Anne D. Schwartz
8200 Wisconsin Avenue, Apt. 604
Bethesda, MD 20814-3168
Phone: 301-656-1313

E-mail: ad—schwartz@hotmail.com

8200 Wisconsin Avenue, Apt. 604
Bethesda, MD 20814-3168

Phone: 301-656-1313

Email: ad—schwartz@hotmail.com

January 17, 2002

Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Ashcroft:

Please hear my opinion on the settlement of the Microsoft Anti Trust Case. I applaud the government for taking the steps to end this long, drawn-out lawsuit. My hope is that you will make the right decision and uphold the proposed settlement. I believe the settlement is more than fair and addresses the issues alleged in the lawsuits and then some. Microsoft is promising to utilize less aggressive business tactics in running their company. Additionally, they have agreed to share some of their technology information, including the intellectual property they have in the Windows internal interfaces and server interoperability protocols. There are more details to the settlement, but most importantly, I understand that the settlement will restore fair competition to the computer industry. Please maintain the current settlement and set a good example for the remaining states that are pursuing litigation in this matter. By doing so, you will help our American economy and American computer industry begin to flourish again. Thank you for your kind consideration.

Sincerely yours,

Anne D. Schwartz

MTC-00013426

From: Eric Bailey
To: Microsoft ATR
Date: 1/17/02 1:44pm
Subject: Microsoft Settlement

Hello,

Let me begin by saying that the proposed settlement involving donations to educational institutions is like handing Microsoft a golden ticket on a monopolistic train ride. But more on that later. First, I think a "Competitive Market Advancement" plan should be included in the settlement. This would require Microsoft to fund development in other computing companies, namely Apple Computer and Sun Microsystems. A donation of \$250 million to \$1 billion to each company would seem appropriate. Such funds would allow these companies to take on the staff and fund the research and development required for true technology advancements. I believe that only when these two much smaller companies have greatly superior technology will they be able to compete with Microsoft.

I chose Apple because it is the only true competitor to Microsoft in the consumer and

education markets. The core of Apple's new OS X operating system, Darwin, is open source and freely modifiable by third-party developers. Apple's operating system also attempts to "play nice" by being compatible with both Windows and Unix environments. Sun Microsystems competes in the server and programming language markets. Sun's high-end servers match anything from Microsoft. But the real value in Sun stems from the Java programming language. The language was designed from the ground-up to be platform agnostic. For the most part, I can take a java application in a .jar file and transfer it from Mac OS X to Windows to Solaris to Linux. It is such flexibility that gives consumers choice and wouldn't bind them to a single computing platform because of software needs.

Secondly, I am very worried about Microsoft's recent acquisition of Silicon Graphics' (SGI) patents on 3D graphics technology. OpenGL and many underlying technologies have been transferred to Microsoft's control. The result is that Microsoft may eliminate OpenGL, the freely open graphics library, for its own Direct3D proprietary graphics library. It may even use incentives to graphics card manufacturers that force them to drop OpenGL support for Direct3D. Also affected would be Apple Computer (which embraces OpenGL at the core of its operating system) and countless video game companies, such as Electronic Arts, Nintendo, and Sega.

Now, on to the current settlement. Essentially, low-income schools would be granted computing equipment and software from Microsoft.

Suddenly, Microsoft's share in the education market increases. Wasn't the settlement supposed to penalize Microsoft for unfair market dominance? How are these schools ever going to afford a competing platform? Especially given the "deals" on Microsoft software/Intel hardware versus the sideline concessions for Apple products? Such a settlement connotes, "Please continue your monopoly, Microsoft, and as a gift, please take more of the educational market you've found difficult to crack in the past."

If any settlement terms include education, they should be for financial grants only, thus allowing the schools themselves to decide on the computing equipment they need. No special deals on Microsoft-only products should be allowed.

Thank you very much for your time, and I hope to see a fitting resolution to this case soon,

Eric Bailey
1020 Sevier Ave.
Menlo Park, CA 94025

MTC-00013427

From: sanford toole
To: Microsoft ATR
Date: 1/17/02 1:46pm
Subject: microsoft settlement

Lets settle up and allow the techies to get on with productive work and life. We've kicked this around long enough.

MTC-00013428

From: milo ness
To: Microsoft ATR

Date: 1/17/02 1:51pm
Subject: Microsoft Settlement

I believe the Microsoft case should be settled and very soon. Microsoft has offered wonderful proposals to settle the case and a settlement will be a BIG help to the economy.

Milo D. Ness

MTC-00013429

From: BABEGOLF@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 1:52pm
Subject: Microsoft Settlement
DOJ,

It would seem to me this suit has gone on long enough, and due to the extreme problems and pressures the nation is now facing, should be settled. I wonder if these 9 states are just holding out for "big bucks" and are not looking at the "whole picture" relative to how "we" people should be spending "our" time. I think Microsoft has made sufficient concessions, accommodations and commitments, which seem to be more than fair, to satisfy the "aggrieved". Please help the nation get on with the more important tasks at hand!!!

Marilyn Raupe
2312 So. 119th Plz.
Omaha, NE 68144
CC: BABEGOLF@aol.com@inetgw

MTC-00013430

From: Harding Bob-ra7777
To: 'Microsoft.atr(ajusdoj.gov)'
Date: 1/17/02 1:53pm
Subject: microsoft settlement

Dear Sirs:

Microsoft has a virtual monopoly on the PC operating system market, as well as the integrated Office software suite and the internet related software. The only effective resolution for the current case is a settlement that requires that Microsoft make the intellectual property for the API code available to developers/companies, so that these other enterprises can have a fair opportunity to develop products that can interface with the Windows operating system and compete with the entrenched products that Microsoft produces. The consumer can then be the judge, to determine if Microsoft really produces a better product, or if another company offers a similar product at a better price, or a better product at a similar price.

Thank you for your consideration.

Bob Harding

MTC-00013431

From: Alex Whitney
To: Microsoft ATR
Date: 1/17/02 1:54pm
Subject: Microsoft Settlement
Dear Sir or Madam:

I'm sure Microsoft employees are stuffing this box with propaganda, as they have reputedly demonstrated their willingness and capability to do so, so I have little hope of being heard, but I must speak out against MS/DOJ settlement proposal.

It is objectionable: they are a company of thugs, and are not doing anyone, not our country, not our diversity of technology, not our economy—any favors with their anticompetitive practices. This rapacious lot of doe-eyed "what, ME?" wolverine monopolists severely limits the number of

good choices I have in hardware and software through their vast, rich, well thought out range of both blatant and subtle anti-competitive practices.

The proposed settlement does nothing to stop this criminal activity. And, they make you look bad, by getting away with it. Right now, they are squeezing my company for cash via software licenses like the mafia; quietly pushing UCITA through state governments—how they are getting key individuals to pass this piece of bogus legislation will come to light, I'm sure—and are quashing creative, innovative work that could make us competitive internationally for years.

Microsoft is a bunch of monopolists, with knowledge aforethought and criminal intent. It was so obvious to the judge handling the case that he frankly was overwhelmed—he simply couldn't contain his outrage. That's no reason to call off a lawsuit and hand Microsoft the keys to the kingdom. A more effective remedy would be one that required Microsoft to standardize and publicize the entire set of Windows APIs and the file formats of its Office applications (another key to Microsoft's monopoly "lock-in")—with the express goal of allowing competitors to build Windows software applications, and operating systems, that compete with Microsoft on a level field.

Such a plan would require careful oversight and enforcement, since Microsoft could easily engage in all manner of foot-dragging. If Microsoft set out to be uncooperative, it could release the API information slowly, in deliberately confusing ways, or in a "Good Soldier Svejk" fashion—assiduously following the letter of the court's order while flagrantly violating its spirit. (There's precedent here: This is precisely how Microsoft behaved during the trial when it told the court that, sure, it would supply a version of Windows with Internet Explorer removed from its guts, but gee, sorry, then Windows wouldn't work.) It would include some penalties: you violate this agreement, you consent to being broken up into three companies, each with all of the Windows source code and a third of MS's developers, on a judge's ruling.

I can already hear them howling in protest. Its too bad that their lawyers are so good at beating up your lawyers. . . . For all of us. These are the people you are supposed to protect us from, and I would appreciate it if you would do a better job. I know I don't have as much money as they do, but that's not supposed to count, hm? Get 'em, boys! Its a hard fight, but our country needs them to step back even if their ego won't let them fight fairly. They don't even fight fairly with you, do they?

—Alex Whitney

Vice President, Director of Technology
Cline, Davis & Mann
110 East 13th Street
New York City New York, 10003
(212) 907-4348

MTC-00013432

From: Michael Thompson
To: Microsoft ATR
Date: 1/17/02 1:48pm
Subject: Microsoft Settlement

Dear Sirs

I feel this is the opportunity to express how strongly I feel about the Microsoft Settlement.

I feel if this Settlement goes through as proposed it is way to linient on Microsoft. I feel for all of their steamrolling over smaller companies with their policies demands harsher fines against Microsoft. How they destroyed netscape is just one of many examples of the brute (unfair9 forse Microsoft has exersized over many companies over the past few years.

Please do not let them off the hook so easily.

A concerned U.S. citizen.

Michael S. Thompson

MTC-00013433

From: Bob Tarabella
To: Microsoft ATR
Date: 1/17/02 1:56pm
Subject: Microsoft settlement

I do not believe that the proposed Microsoft settlement will result in any penalty to Microsoft Corporation. In fact, it would appear to give them a strong foothold in one of the only competitive markets that they do not yet dominate. The proposed settlement is a bad idea.

Robert Tarabella 450 N Mobile St
Fairhope, AL 36532
251-928-7876 (h)
251-990-3558 (w)
360-838-9046 (fax)

MTC-00013434

From: David A. Molanphy
To: Microsoft ATR
Date: 1/17/02 1:56pm
Subject: Microsoft Antitrust

To whom it may concern;

On your website you request input on the Anti-Trust case against Microsoft. Although I am not well versed in law I do know what a monopoly is, and Microsoft fits the description better than any textbook example I've ever seen. For Microsoft to propose a settlement enabling them to expand their monopoly into the education sectors is, in my opinion, a joke. Granted, their offer to help the less-privileged school districts in our country is a commendable one, but it seems more like they're trying to use this as a publicity stunt! Let's open our eyes a bit! If Microsoft really wanted to help education, they would provide the monies to the school districts for them to use at their own discretion! Providing a license of Windows to these schools is hardly a punishment! It's a boost in their business! It costs Microsoft less than a quarter to copy a disc containing their software! How is this supposed to break up and discourage a monopoly? I must say that I am sick of throwing money into Microsoft's mediocre operating system, horrible service, and I'm especially sick of wasting my tax money on settling this matter, when it is so obvious that they ARE a monopoly, and have NO intention to stop their unlawful practices.

Sincerely,

David A. Molanphy
david@molanphydesign.com
http://www.molanphydesign.com

MTC-00013435

From: BRIAN D SMITH
To: Microsoft ATR

Date: 1/17/02 1:57pm

Subject: Microsoft Settlement

We feel it is about time to settle this matter for all concerned. Let's do it!

Christine and Brian Smith

MTC-00013436

From: Ralph Mabb
To: 'Microsoft.atr(a)usdoj.gov'
Date: 1/17/02 2:01pm
Subject: Microsoft Settlement

Having read the facts of the case it is apparent to me that Microsoft is & always will be a monopoly, bent entirely on dominating the OS market as well as the PC market. They use underhanded tactics as well as illegal marketing practices to drive away competition. Look at what they did to Apple! Windows was stolen from Apple. So as far as I am concerned its about time they paid. Make them settle for Billions, make it count and make sure there are safeguards put in place to prevent further tampering in the market by Microsoft.

Thanks

R. Mabb

MTC-00013437

From: Susan Secrist
To: Microsoft ATR
Date: 1/17/02 2:06pm
Subject: Yes—
Microsoft Settlement
To: The
U.S. Department of Justice
Antitrust Division

We are writing to be counted among the many American citizens who are asking for a quick and fair settlement in the lawsuit against Microsoft. We have followed this case closely and believe that the CURRENTLY PROPOSED SETTLEMENT addresses the legitimate findings of the Appeals Court. Further delay and/or punitive action would undermine not only our economy, but the underpinnings of jurisprudence.

Please settle now.

Thank you,
Daniel and Susan Secrist
5125 39th Ave SE
Lacey, WA 98503

MTC-00013438

From: Ben Loftis
To: Microsoft ATR
Date: 1/17/02 2:07pm
Subject: Microsoft Settlement

To whom it may concern: I am submitting this letter in response to your request for ideas about the Microsoft antitrust case. In my opinion, Microsoft is trying to stifle new competition by raising the cost of entry into the operating system market. In addition, they are using their monopoly to "lock" consumers into only using Microsoft products. Both of these practices are damaging to consumers. Unfortunately there are already multiple examples of the effectiveness of these practices. BeOS, for example, was a much more sophisticated and reliable product, but it was unable to compete in the desktop OS market because most potential customers were locked into the Windows monopoly. The two most offensive practices are proprietary file formats created by the operating system and their unwillingness to allow other operating

systems to coincide with Windows on the same machine. By bundling common software packages into Windows (email, word processing, html, media files), and then using proprietary file formats, Microsoft has guaranteed that the majority of users will be dependent on Microsoft products to read and edit their own, personal records! As a user of multiple operating systems, I can personally attest that Microsoft makes it nearly impossible to share basic documents between other operating systems.

Because Microsoft invents their own formats instead of using standard formats for these basic file types, they raise the cost of switching to a new operating system so high that most users aren't willing to switch from Windows. The "boot issue" is also important. If an amateur user tries to install Windows in addition to an existing operating system, he will find that Windows has overwritten the Master Boot Record of the boot disk, apparently making the previous operating system, and all it's data, disappear! Although this condition can be reversed, it can be very disconcerting to a casual computer user, and it makes the prospect of installing a new operating system too scary for most people to contemplate. This results in far fewer sales for competing OS developers. I suggest three straightforward solutions to these problems: 1) Require that Microsoft use open-source file formats in any products that are bundled with the operating system, or available as free downloads from Microsoft. (note: this does NOT include Microsoft Office!) 2) Require that Microsoft publish the format of all previous documents that were generated by software that was bundled with Windows. 3) Disallow Windows to overwrite the Master Boot Record of a disk unless the operator explicitly agrees to do so. These solutions would not incur undue cost to Microsoft, nor are they technically infeasible. They simply help make sure that future versions of Windows will "play well with others" and not trap consumers into using Microsoft-only products.

Thank you,

Ben Loftis

301 Honey Ct Nolensville, TN 37135

MTC-00013439

From: fouts
To: Microsoft ATR
Date: 1/17/02 2:13pm
Subject: Microsoft settlement
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
Washington, DC 20530-0001

Dear Attorney General Ashcroft:

I am writing to express my feelings about the settlement in the Microsoft antitrust case. Honestly, I thought the whole thing was ridiculous to begin with, but seeing as Microsoft is satisfied with the settlement that has been arrived at, I won't reopen old wounds. It does cause me some concern, however, that the impending threat of further litigation exists. I am shocked that the nine states that are considering such action have the gall to suggest that the settlement was in any way unfair to Microsoft's competitors. Microsoft agreed to a very wide spectrum of terms in the settlement, some of which

were not even at issue in the antitrust case, simply in the interest of wrapping up the suit. Intellectual property rights are to be licensed to competitors, the Windows operating system is to be reformatted to support non-Microsoft software, and Microsoft has agreed not to take normal retaliatory measures against anyone who introduces directly competing software onto the market.

I believe that justice can demand no further satisfaction from the Microsoft Corporation. The Department of Justice needs to let the settlement carry through and move on. I urge you to please support the agreement so they can do so.

Thank you.

Sincerely,
Barbara L. Fouts
3634 Kassandra Drive
Punta Gorda, Florida 33950

MTC-00013440

From: Anna Angelova
To: Microsoft ATR
Date: 1/17/02 2:14pm
Subject: Microsoft Settlement

Dear Sirs,

I am writing to you to voice my objection to the Proposed Final Judgment in the U.S. vs. Microsoft anti-trust case. I believe that the Proposed Final Judgment does NOT properly address Microsoft's anti-trust violations and anticompetitive practices. I strongly feel that Microsoft's monopoly should be terminated and future such monopolies be prevented. A monopoly can be devastating for the development of a fast-paced industry, such as the software industry. Therefore, I am concerned with the Proposed Final Judgment and hope that you will reconsider the ways in which you approach the Microsoft case.

Sincerely,
Anna Angelova
505 W 54 street, apt. 1119
New York, NY 10019
(212) 954-7289

MTC-00013441

From: Andrew Bradley
To: Microsoft ATR
Date: 1/17/02 2:14pm
Subject: A fair future for Microsoft.

IMHO, the problem stems from MS being unclear on the distinction between operating system and software applications in its business model. How about this: the OS side of Microsoft must have freely available APIs and no OS feature development be tied to any application being concurrently developed by MS. Not quite open source, but so that any developer can access any or all of the OS's features. The application development side of the Microsoft can be as secret as they please, since in effect they would be nothing but a developer for their own OS.

As new capabilities are added to the OS side of MS, they must be made available to all developers, including MS's application development, simultaneously. No cooperation between application development and OS development sides of the business. Eliminate the hand-in-hand development of applications and OS features that support them. MS's advantage is that it

had a head start in developing applications that take advantage of its own OS's features. Take away that head start and it is nothing more than a company that sells an OS, as well as some applications for that, and other, OSs.

For example, the MS applications side make a "feature request" to the OS side. So can any external developer. The OS side adds or changes the OS to accommodate any or all developers' requests. A new OS version is released, with equal access to new features by all developers. Then, and only then, can the application side of MS can develop software versions to take advantage of the new OS. At the same time, so can other developers. Equal competition by all developers, and "freedom to innovate" is retained. Developers can write for MS, or any other OS for that matter, on a level playing field.

There you have my two cents worth. Thank you for taking the time.

Respectfully,
Andrew Bradley

MTC-00013442

From: Potter, Ken
To: Microsoft ATR
Date: 1/17/02 2:10pm
Subject: Microsoft Settlement
Kenneth Potter
210 John Glenn Drive
Suite 1
Amherst, NY 14228-2213
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

This is to give my support to the agreement reached between Microsoft and the Department of Justice. This agreement was reached after three long years of court battles, costing both sides time and money. It is time to put this issue to rest. Microsoft has agreed to any number of demands from the Department of Justice. Microsoft has agreed to help companies achieve a broader degree of compatibility with regard to their networking software; Microsoft has agreed to design future versions of Windows with a mechanism to make it easier for computer makers to promote non-Microsoft software. Microsoft has even agreed to a technical committee to monitor future compliance.

Please support the antitrust settlement.
Sincerely,
Kenneth Potter

MTC-00013443

From: Victor Agreda, Jr.
To: Microsoft ATR
Date: 1/17/02 2:16pm
Subject: Microsoft Settlement

Put this in the category of: Microsoft should pay MONEY and be required to go under the government microscope for several years. Their proposal to "give" several millions of dollars "worth" of software to schools is an insult to intelligence. This obviously extends their monopoly further.

Better yet would be to provide a substantial cash payment to an oversight organization, which would in turn distribute these funds.

Microsoft would then be watched very carefully for other non-competitive behaviors. However, an even better solution would be an actual reversal of their monopoly. That would entail Microsoft purchasing competitor's products, and installing them (according to the oversight org), AND providing monies to provide for training and upkeep of the systems. Examples would be mass purchases of Linux systems and Macintoshes.

The above case would serve as a punishment to Microsoft, as well as an overall remedy to their past behavior.

Good luck getting them to agree to it, however. I suggest that you will be lucky to actually get any money from them at all.

Thank you all for your time and attention to this case!

—Victor H. Agreda, Jr.
www.superpixel.com

MTC-00013444

From: Jacob Larson
To: Microsoft ATR
Date: 1/17/02 2:16pm
Subject: Microsoft Settlement
Dear US DOJ,

I feel that Microsoft's proposed solutions are just a slap in the face of real justice. The Settlements that they have been giving are no more than a mockery of everything that justice stands for. When the DOJ went after IBM and MaBell it didn't who this we have to be nice to you junk. The only solution that I see that would be fair to the rest of the world namingly the software developers is to force them into going open source. That is the only true way to bring justice to the software tyrant.

I may seem a little angry with Microsoft because I am. I have lost many hours of sleep and even some important homework because of their unfair business practices of making other peoples software no-functional. This may only be a small puddle in the mess they have made out of the business world from downtime and lost profits as well as lost productivity in tech support. Have you seen Mac OS X or Linux and other Unix variants downtime is almost a thing of the past. I have been running Mac OS X and Linux the only downtime I have had was when I had to reboot after an upgrade. This is an acceptable downtime. On my PC running Windows 98 I have downtime almost immediately after I boot up. Blue Screens are a common occurrence. This would not be a problem if it wasn't for the programs that the school I go to teaches only Microsoft products because they are the forced standard. There is no reason for the type of problems that I see constantly in all the programs that Microsoft has realised.

Sorry enough about that little bit of background information but the type of problems that I see as a norm is a bad thing that kills this nations effectiveness in the growing business world.

To sum everything up the only solution to fixing Microsoft's harmful business practices is to either force open-source or to null the company all together. To back up the nulling the company look at all of the standards that they have tried to force onto the computer world. For example the WMA format and the

all of a sudden lack of support for MP3's in Windows XP. Microsoft act like the lack of MP3 support as a way to help the record industry stop pirating music. With the evil recording industries trying to make it impossible for little guys like me run copies of CD's in things like my car so I can keep the original in good shape.

How about the active X form of JAVA that Microsoft has been trying to make as a standard. Which cause problems when other non active X supported web browsers and this to me seems like a form of browser prejudice. Like the little browsers like opera a really good freeware browser that doesn't run active X because it is not the true standard of the web.

Now in finally "this time I am not kidding" The only solution to ending thier reign of poor coding and badly written software I feel open-source is the best solution.

Young voter,
Jacob L. Larson
mailto:macsavage4@yahoo.com

MTC-00013445

From: Jwclb@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 2:19pm
Subject: Microsoft Settlement

I believe it is HIGH TIME to have the nine State Attorney Generals to go home. Realizing they have \$\$ dollar signs \$\$ for eye balls to cloud there better judgment will in no way help the consumer more than Microsoft has already agreed to do. They (the attorney generals) have had enough headlines. I'm sure they have plenty of work to do in there own states to keep busy. ENOUGH IS ENOUGH.

James W. baker
543 Silver Pass
Ocala, FL 34472
jwclb@aol.com

MTC-00013446

From: Eric L. Strobel
To: Microsoft ATR
Date: 1/17/02 5:01pm
Subject: Microsoft Settlement

The proposed settlement is woefully inadequate when compared to the damage the Microsoft monopoly inflicts on this nation. Let us reduce this to a specific example of the impacts of Microsoft's stranglehold on desktop computers, impacts that have never even entered into consideration (as far as I know).

I am a physicist working at a defense contractor, and I simply don't "get" Windows. I find it almost impossibly difficult to use because it just doesn't work in a way that makes sense to me. Instead, I use Apple Macintosh computers (although this argument logically also applies to OS2, BeOS, Linux, and any OSes that might have been were it not for Microsoft's anti-competitive practices). Now, in a fully competitive environment, my chosen OS might be in a minority, but would still be considered an acceptable alternative. However, due to Microsoft's continuing history of predatory and illegal practices, they have achieved an almost total monopoly. In my case, I am SEVERELY limited as to potential employment

opportunities because the Federal Gov't. and its contractors have largely standardized on Microsoft (to the exclusion of any alternatives, which in the case of the Federal Gov't I thought was illegal). This standardization was done, in large part, because "Everybody uses Windows, so if we must standardize on one OS, it should be Windows." I'm sure the problem is obvious. . . "Everybody uses Windows" because Microsoft's illegal practices had absorbed, crushed, or marginalized the competition.

What Microsoft has achieved vis-a-vis other OSes, it has now also achieved (though to a lesser degree) in the realm of web browsers. Netscape has all but been buried by Microsoft in terms of vigorous competition which would lead to rapid product enhancement and ultimately, to consumer benefit. This must not be allowed to stand, but yet the fundamental weakness of the proposed settlement does exactly that.

I strongly urge you to put some teeth back into the sanctions against Microsoft. Even while the process of the proposed settlement was going on, the world saw Microsoft arrogantly proposing a settlement in another set of cases which would have actually INCREASED Microsoft's monopoly! They MUST be taught a lesson! Their monopoly status means there's no competitive pressure to improve their products, resulting in untold billions of dollars of losses to the US economy due to reduced productivity. And, as you can see from my personal example, the potential is there for Microsoft's monopoly to do tremendous damage to individuals as well.

Lastly, regardless of the outcome, I also can't urge you strongly enough to open an investigation into the Federal Government's IT practices and how these have contributed to Microsoft's continued monopoly, even while DOJ was pursuing an anti-trust case against Microsoft. Any settlement with Microsoft will ring hollow while the Federal Government continues to bolster Microsoft's monopoly status.

Thank you.
Eric Strobel
Dr. Eric Strobel
12601 Dulcinea Place
Woodbridge VA 22192
(703) 494-6623
fyzycyst@mailaps.org

MTC-00013447

From: Jon Pugh
To: Microsoft ATR
Date: 1/17/02 2:25pm
Subject: Microsoft Settlement

The proposed Microsoft settlement is a slap in the face of consumers and the computer industry. Microsoft needs to be reigned in before they completely dominate the entire industry and suppress all other innovation. The current administration has completely caved in to Microsoft. Please throw out their proposed settlement and let someone with some objectivity decide what should be done to prevent Microsoft from remaining the 800 lb gorilla of the software industry.

Jon Pugh
18306 Andover

Edmonds, WA 98026
(425) 640-0835

MTC-00013448

From: Pfeiffer
To: Microsoft ATR
Date: 1/17/02 2:27pm
Subject: Microsoft Settlement

As a retired Judge of a State Court for thirty-seven years I have never seen a party who has lost the lawsuit (having been found guilty of acts prohibited by law) come off with no penalty other than being restricted from doing what the law restricts it from doing in the first place. It is unfortunate that the remedy fashioned by Judge Jackson had to be reversed because of personal failings of the Judge rather than from any defect in his logic or reasoning.

The court should reject the proposed settlement which has come about by a change in government with a different approach toward monopoly. Microsoft should not benefit by stonewalling until this change occurred and should not now be left in the same position of monopoly that it had before the national election. It should be bereft of the power to again violate the law rather than just promising not to do it any more. The ultimate judgment should make impossible further abuses of our free enterprise system.

C. Pfeiffer Trowbridge, P O Box 445, Stuart, FL 34995

MTC-00013449

From: Joe Gerhardtstein
To: Microsoft ATR
Date: 1/17/02 2:31pm
Subject: Microsoft Settlement

As a software developer and user of Microsoft products, as well as Apple and various Unix/Linux products, I have been following the court case closely for several years. I believe the current settlement as proposed is a complete travesty of justice. The current settlement, while on the surface looking like it might prevent Microsoft from participating in anti-competitive actions, has no teeth and actually goes so far as to tell Microsoft to expand its monopoly by "giving away" it's products to educational institutions.

My first major run-in with Microsoft occurred about 7 years ago while I was trying to write software for Windows 3.11. At the time, I had a need to access physical memory locations on the machine in order to transfer data from a high-end data-acquisition card. After a few days of searching their online help and discussion forums for the necessary API call, I called Microsoft to ask how to do this (at \$75 for the first three calls), and was told that a competitor's C compiler I was using wouldn't work and I needed to purchase the latest version of Microsoft Visual C++ compiler, which I did. After several days of working with this and we were still unable to perform the above task, I called Microsoft back (for a fee) and was told that the Visual C++ compiler was not enough, and I would also need to pay to join their "developers group". When I ask whether this for sure would solve the problem, I was told that they couldn't guarantee it. In the end we finally found some references to the necessary API (marked

"don't use this as Microsoft doesn't guarantee that it will continue to be available in future releases") and used the competitor's C compiler to build the necessary .dll.

Through this entire process, I couldn't help but think "Well, here I am being bribed by Microsoft to tell me, a person who is trying to develop software for their operating system, how to program their operating system." Every week I'm bombarded with more attempts by Microsoft to get me to buy more of their "solutions" or to give up on competitor's products and use theirs. One need go no further than look in the Internet Options menu on Internet Explorer (Tools -> Internet Options). Under the General tab, there are three buttons that you can use to assign a Home Page: Use Current (makes sense), Use Blank (also makes sense), and Use Default (what's default?). The last one when clicked, assigns Microsoft's home page. Why isn't there a button or pull-down menu to select AOL or Yahoo? I have yet to find a way to make the default something other than Microsoft's web page. Why is Microsoft the only company that seems to pull stuff like this? Or if you click "Search" in Internet Explorer, why is the default search engine Microsoft's? Other vendors, such as Apple with their Sherlock search engine, by default include searches from other major sites such as Yahoo, Google, Excite, etc.

Every time I install Windows on a new computer, why is Microsoft Outlook and Microsoft Internet Explorer the only email and web browsers with not one, but two icons on the desktop (one on the desktop, one in the Start Menu tray)? When I install Apple's OS-X, I get Apple's mail program, but I also get IE/Outlook and Netscape Communicator icons with similar prominence. When I install Suse Linux, I get Netscape and Konqueror. Look at Sun and Java. Why does Microsoft insist on not only not using Java, but goes and develops it's own version and basically makes Java unrunnable on their OS?

You're probably saying "well, that isn't illegal", and I agree. But why is Microsoft the only company that pulls stuff like that? The Justice Department has already determined that Microsoft acts in anti-competitive, monopolistic ways. The current court ruling seems to imply that the Justice Department believes that Microsoft is going to forget it's old ways and just start playing "nice". I have seen no such change in behavior over the last few years even after the ruling, and have a hard time believing that the current weak court ruling is going to have any impact on Microsoft and their traditional business practices. Even if you were to stop the blatantly anti-competitive ways, Microsoft will continue to coerce users in ways slightly less illegally until the Justice Department stops complaining. The only way you can solve a problem like this is to separate the parts. Make it so one company sells operating systems and doesn't care who's browser or email client is shipped with the core OS, make another company responsible for Microsoft's other software applications, such as Office and IE, and make a third company responsible for Microsoft's Internet holdings (.NET, msn.com, etc.). Doing this will help (but not fully) prevent each part of Microsoft

from favoring the others over competition. Doing anything less would be the same as doing nothing at all.

In case you believe that I am just "another anti-Microsoft nut", I would say to you that I believe in the last few years that Microsoft has actually done some innovation. I current run Microsoft Internet Explorer on my Mac at home, not because Apple or Microsoft has forced me to or made it too much of a hassle to choose another browser, but because Microsoft's offering runs 2x faster than Netscape Navigator, has better compatibility than iCab and costs less than Opera. This was a choice I made that was not biased by Apple or Microsoft, but instead was made on the relative merits of various freely-competing company's products. Unfortunately I cannot say that same for any computer that runs a Microsoft operating systems.

Joe Gerhardtstein
Joe Gerhardtstein
Senior Engineer/Systems Integrator
DAQTron, Inc.
1007-B Mansell Road
Roswell, GA 30076
770-643-1878
770-645-6403
(fax) www.daqtron.com

MTC-00013450

From: DHWick@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 2:33pm
Subject: Microsoft Settlement
January 17, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I am from Cedar Rapids, Iowa. I would like to offer my strong support for the settlement agreement reached in the Microsoft antitrust litigation. While there is much of the agreement of which I am not aware, I do know that Microsoft has agreed to lessen restrictions on the use of competitive software within Windows operating systems, and to promote greater uniformity in its pricing practices. These concessions certainly go a long way in answering the allegations of anticompetitive behavior brought against Microsoft, although I am sure complaints will remain. It appears to me that much of the criticism of Microsoft is the result of their success. I disagree with the idea that successful individual or organizations should be looked upon as targets of opportunity.

I am not a dedicated fan of Microsoft products but I am sure that the long and drawn out litigation is distracting management attention. At a point in time when economic growth is so essential; we cannot afford to have one of our biggest economic engines sitting on the sidelines. Please get on with this agreement and let Microsoft get on with business.

Your time is greatly appreciated.

Sincerely,
Don Wickenkamp
5861 Shiloh Lane
Cedar Rapids, IA 52411

MTC-00013451

From: milo ness

To: Microsoft ATR
Date: 1/17/02 2:36pm
Subject: Microsoft Settlement
I believe the Mic

MTC-00013452

From: Rick Roesse
To: Microsoft ATR
Date: 1/17/02 2:40pm
Subject: Microsoft Settlement
To Whom it Concerns,

Everywhere I look I see Microsoft's hand. There is nothing illegal about being large, but it seems that for years they have used that size to influence every vendor in the industry (even Intel) and they show no signs of stopping. I believe everyone who uses computers has and will continue to be hurt be the stifled development of anything that Redmond does not control. And that is the definition of an abused monopoly. The idea of a settlement that "pushes" Microsoft into the education market under the guise of a penalty is ludicrous. Something much stiffer must be imposed for the good of the computing future.

Rick Roesse

Below is a hidden transaction describing the the transfer of 3D technology from Silicon Graphics and Microsoft. Again the affect is subtle, but cumulative and subversive. MS is not going to stop without pressure from the DOJ or other government agency.

SGI transfers 3D graphics patents to MS
By Andrew Orlowski in San Francisco
Posted: 16/01/2002 at 18:03 GMT
Exclusive Silicon Graphics Inc has transferred much of its 3D graphics patents portfolio to Microsoft. These form the heart of a mysterious transaction which showed up in SGI SECC filings last year, with Microsoft paying \$62.5 million for unspecified "intellectual property" rights to SGI. SGI insisted at the time these are "non core" technologies, but sources close to the Mountain View are emphatic that these represent the bulk of SGI's 3D intellectual property assets, a view confirmed by documents disclosed to The Register.

The 3D graphics landscape is scarred with previous intellectual property litigation, and the Microsoft deal has its roots in an earlier settlement between SGI and NVidia. NVidia walked away bruised but with a license for key SGI technology. Unfortunately for the Xbox team, that didn't extend to NVidia's sublicensees and an eleventh-hour deal was brokered that allowed the Xbox launch to proceed on schedule.

So does the Redmond deal represent good value for SGI? Well, SGI has had console ambitions in the past: developing the N64 for Nintendo, but failed to follow through in those early efforts. SGI has since been supplanted in the newer generation of consoles and has even had to adopt the PC graphics products of erstwhile rival NVidia. SGI shareholders will doubtless welcome the cash.

Neither NVidia nor SGI wanted to comment on this article. SGI is in a quiet period pending its next quarterly results next week. Own 3d? However Microsoft's acquisition of the patents has repercussions for not just the console business, but the future of the PC business, too. The question

of who owns the platform was one of the fissures exposed during the Microsoft AntiTrust trial. According to memos released as part of the trial, and testimony from Intel VP Stephen McGeady (who's no longer with the company), The Beast won a showdown with Intel that obliged the 'Zilla to axe its NSP multimedia hardware project.

Microsoft isn't in the PC hardware business, and it's unlikely that the patents will change its technical strategy. But they do add significantly to its bargaining position with hardware vendors, giving Redmond important new leverage. Rival APIs, principally OpenGL, are kept alive through the support of graphics hardware vendors. And for a hardware partner, avoiding a lawsuit, or gaining a contract to work on future versions of Xbox, may well outweigh the advantages from continuing to support OpenGL. Now that's an area that the three men in a boat—the proposed MS compliance body—might care to examine. We'll be watching. (R)

MTC-00013453

From: Smith, Mathis
To: 'Microsoft.atr(a)usdoj.gov'
Date: 1/17/02 2:47pm
Subject: Microsoft Settlement

Microsoft should not be allowed to get by with just a slap on the wrist, and that is exactly what their proposed settlement would be allowing. The proposed settlement would allow Microsoft to extend their Monopoly into markets as of yet unaffected by their business practices.

Any judgments against Microsoft should be a punishment not a bolster to the company. The proposed \$200 million that Microsoft says it is liable for is nowhere near \$18.9 billion suggested by plaintiff economist. If this is to be a monetary settlement it should be closer to the billions not the millions.

Microsoft's attempt to mask a settlement that is in their best interest behind a veil of charity, lends more evidence to the accusations that brought them to court in the first place. If a donation is to be made to these schools as punishment, that is fine, but it should be a cash settlement and an amount that more reflects the net worth of a company as big as Microsoft.

It is my opinion that Microsoft should have to set up an \$18.9 billion fund for under privileged schools. This fund would provide money to those schools that need it, and those schools would be allowed to use the funds the way that those schools deem fit. These under privileged schools need more than just technology. They especially don't need the outdated Pentium computers running Windows 98 that Microsoft was suggesting. Microsoft was even suggesting that the schools then pay Microsoft for the licensing of the software.

To allow Microsoft to get a way with a lenient settlement would be a crime against the United States consumers, as well as those consumers affected world wide.

Matt Smith
I.T./Mac Desktop Analyst
Ph# 214-977-2753
<mailto:9725200921@Page.Metrocall.com>

MTC-00013454

From: aschlackman@nyc.rr.com@inetgw

To: Microsoft ATR
Date: 1/17/02 2:49pm
Subject: Microsoft settlement

What this settlement does is reward microsoft for its fine ethical business practices. What is a billion dollars to MS. Or 10 ten billion for that matter. Open souce their software- or split them up I can't believe justice dept is this stupid, so it must be motivated by something more sinister!

MTC-00013455

From: Derek Rich
To: Microsoft ATR
Date: 1/17/02 2:55pm
Subject: Microsoft Settlement

Thank you for this opportunity to express my opinion. Microsoft's business practices during the mid nineties absolutely were appalling—specifically regarding their attempt to “kill” Netscape Communications, Inc.

Their use of the “monopolistic” tactics to disable a legitimate company's primary source of income truly represents an injustice to the consumer.

I applaud the DOJ's actions and proposed settlement.

Derek Rich
36 Greensboro Road
Hanover NH 03755

MTC-00013456

From: A Non Moose
To: Microsoft ATR
Date: 1/17/02 2:56pm
Subject: Microsoft Settlement.

My comments on the settlement are that this matter has dragged on for way too long and is continuing to impact public confidence in the economy and American competitiveness in the global market place. The Wall Street Journal some time back had a number of comments from State representatives regarding the PR exposure that they get from dragging the case on ? I'm surprised that the media has failed to take them to task further. Microsoft is a leading light for the US in the World Economy, if one looks at the size of the company relative to organizations such as IBM, GE & Boeing it is rather small. Success has come from 30,000 people working long and hard day in & day out ? not from Bill Gates alone. This case can do much to crush the American dream? and cut back the US's lead in the IT industry. Look at Japan and Europe and how they help to drive their national champions ? how do we ready ourselves to compete with them ? we cut our best players down at the knees ? gee it will be great when the software industry goes the way of the US auto & steel business.

Sun & Oracle are both large players but have invested less in R&D and are seeing a decline in business ? their outspokenness and fighting words of expectant dominance contrast drastically with what was discussed in court. AOL TimeWarner is a formidable competitor today, while IBM is a giant next to Microsoft. Dig into any of these organizations for long enough and one can find something to gripe about. Microsoft is probably the closet thing to a model company, happy employees and share holders who have shared in its success and

Millions of customers who have benefited from reduced prices ? surmising over whether or not prices would have been cheaper with more competition disregards where the IT industry has come from and the role that Microsoft has played in making computing affordable for the masses. Let the market sort itself out.

I fully support a settlement at this stage and do not believe this case should ever have gone to trial. It is a breakdown in our system.

Taun Masterson
Sammamish . WA

MTC-00013457

From: Dan Pahlajani
To: Microsoft ATR
Date: 1/17/02 2:56pm
Subject: Microsoft is a monopoly

Microsoft MUST donate the proposed money (1 billion dollars) in cash and NOT as Windows OS and hardware. It will only help it become stronger and give it an opportunity to capture education market which will defeat the main purpose of this case against them.

Microsoft had brought some executives as witness to support that it is not a monopoly but those witnesses stand to gain by supporting Microsoft. For example, CEO Doug Burgum of Great Plains Software has always tried hard to be acquired by Microsoft. I know this for fact because I have been Great Plains consultant for almost 10 years. Now that Microsoft acquire it for a cool 1.1 Billion dollars only makes the case stronger. Doug Burgum's statements support should be questioned. He is the direct beneficiary by supporting Microsoft. He doesn't care for the technology industry. Similarly Michael Dell stands to gain from a better partnership with Microsoft and therefore supported them. Again not caring that such monopoly is not good to American consumers.

If Microsoft is set free, than DOJ should allow De Beers to operate in America—justice should be equal for all.

I can go on and on. . .
Best Regards,
Dan Pahlajani

MTC-00013458

From: Rockwell
To: Microsoft ATR
Date: 1/17/02 2:59pm
Subject: Microsoft Settlement
17695 County Road 1108
Flint, Texas 75762
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you today to voice my opinion in regards to the Microsoft settlement issue. I support the settlement that was reached in November, and I support Microsoft in this dispute. Microsoft has accomplished a tremendous amount in the last ten years, and these accomplishments have had a positive impact on our daily lives.

This settlement will end three years of costly litigation. Microsoft has agreed to fully carry out all provisions in this agreement,

even provisions that go well beyond the original issues of the lawsuit. Microsoft has agreed to share information with its competitors that will allow them to place their own software on the Windows operating system. Microsoft has also agreed to be monitored by a technical oversight committee created by the government to monitor Microsoft compliance. This settlement will serve in the best public interest. Please support this settlement so this company can move forward with innovative design. Thank you for your support.

Sincerely,
Helen Rockwell

MTC-00013459

From: andrew hedges
To: Microsoft ATR
Date: 1/17/02 3:02pm
Subject: Microsoft Settlement

I work in the computer industry and have followed the anti-competitive practices of Microsoft for some time. It is my layman's opinion that Microsoft's proposal to donate computers and software to schools will not have the effect of deterring such practices in the future and will actually give them inroads into one of the few markets they do not currently dominate.

In a nation that prides itself on free-enterprise, it only seems reasonable to assign a remedy that will give the guilty party pause in the future and allow the market to freely determine which products it uses. A \$1B settlement of cash to US schools will do far more to promote learning and keep Microsoft from continuing to bully competitors than in-kind donations ever would.

Thanks for keeping America's interests in mind when making this decision.

Andrew Hedges
Washington, DC

MTC-00013460

From: Jim Hartneady
To: Microsoft ATR
Date: 1/17/02 3:03pm
Subject: Microsoft Settlement

Dear Ladies/Gentlemen:

Microsoft has used its operating system monopoly to destroy its competition in the application field. It has done this through sweetheart deals with Original Equipment Manufacturers (OEM) and utilization of predatory pricing. The sweetheart deals required the OEM to purchase a copy of the Microsoft OS even if the computer was going to be used for Linux. That is power. It is also abuse of power. If your recommended solution does not prevent and punish this type behavior then your efforts are a waste of your time.

The predatory pricing meant that with the profits from their monopoly in the OS they could sell their applications at a lower price than a competitor. Such a low price that the competitor could not make a profit. Without a profit they went out of business. How many of you think that PowerPoint or Word are the "best" applications you have ever used. How many competing applications do they have in the business world? Monopoly is wonderful when it is benevolent. Microsoft, however, is not and never will be a benevolent monopolist.

If you correct their behavior to the point where others can compete you have done your jobs and done them well.

Good luck,
Jim Hartneady
3200 Wayne Road,
Falls Church VA 22042

MTC-00013461

From: Yonatan Yoshpe
To: Microsoft ATR
Date: 1/17/02 3:04pm
Subject: Microsoft Settlement

Greetings,

This is in response to public comments on the proposed Microsoft antitrust settlement:

Microsoft's monopoly power is evident directly on the Internet where it now controls the browser field, claims the highest use on the internet via its portal, and is claiming control over travel, personal banking, and many other fields.

With Windows XP this power got translated to an almost complete destruction of the publishing businesses on the net (like landings.com) by introducing a new "feature" into Internet Explorer (as default part of the OS) which would highlight words appearing in the browser window and hyper-link these to Microsoft controlled sites. In other words, Microsoft would have hijacked the work of the independent publisher to its own benefit, and due to its monopoly power in the field, the publisher would not have any recourse. This was stopped at the last moment due to public outcry. But Microsoft does not often listen to the public, nor should this be an outcry, it should be up to a healthy market place, where multiple players control the field, so that no single company can dictate the state of the market or its "features". This single new "feature", which would have led to a real destruction for thousands of working, producing, and income providing sites on the net, is only an example. In every single field of influence in the software and many different related net or phone hardware elements, Microsoft monopoly is evident and creates huge havoc to the industry. It limits the choices we make in product introductions (knowing that Microsoft will grab a successful product, copy it, and sell it under its force—prevents many efforts in-house), and other choices are simply discarded because Microsoft already enjoys monopoly in a particular product field. There is endless untold limitations on creativity, and untold losses incurred due to the monopolistic activities of this giant.

There are thousands of small publishers making a living from independent efforts such as Landings.com. These efforts are crucial to the related publishers, but often (just as in the case of Landings.com) provide an extremely important independent source of information, databases, news, opinion, and comment to their respective industry segments.

I am against any settlement that does not break up Microsoft into separate OS and application companies. Without such a separation the result would be quite catastrophic for large segments of the software, hardware, and Internet industries.

Sincerely,
Yonatan Yoshpe, President, Landings.com

MTC-00013462

From: Tobe Harvey
To: Microsoft ATR
Date: 1/17/02 3:05pm
Subject: The settlement is unfair.
Tobe Harvey
1580 N.E. Merman Dr. Apt. 395
Pullman, WA 99163
tobeharvey@earthlink.net

To Whom it may concern-

I am writing to state my opinions about the proposed Microsoft settlement. The settlement does not punish Microsoft as it should. Instead, it gives Microsoft a boost when entering the education market due to software deals. The true manufacturing costs of producing the free Microsoft software has not been taken into consideration. The retail value of the software varies greatly from the actual cost of manufacturing. Hence, I feel that the Department of Justice is having the wool pulled over its eyes by good lawyers.

I want to see Microsoft split into three great companies. It's Office and Internet Explorer software should be separated from its operating systems. This combination is lethal to competition. Office, Internet Explorer, and Windows should stand alone against competitors. How many people have even heard of alternative word processing applications? Not very many, and I am having a hard time myself. Microsoft Word, has complete control. This is strangling word processing competitors by connecting themselves to the OS, Internet Explorer is destroying the Browser competition. By connecting Internet Explorer so tightly to Windows, it is hurting competition.

Please break up Microsoft into three great companies. Office, Internet Explorer, and Windows would be three great separate business's for consumers to choose if they wish.

Sincerely,
Tobe Harvey

MTC-00013463

From: David Lennard
To: Microsoft ATR
Date: 1/17/02 3:07pm
Subject: Microsoft Settlement

Dear USDOJ,

Here's my short opinion of the settlement: It is basically a light slap on the wrist with a wink. A company as large and powerful as Microsoft is too ingrained in our societies daily life (professional and personal) for any settlement to hurt it.

What Microsoft needs is to be taken down and dragged through the mud like they have done to other companies, but what would be the point, since that would stop the normal day to day flow of American life. This lawsuit against Microsoft should have happened 10-15 years ago. It's too late now. If you levy heavy fines on Microsoft, Mr. Gates will just take it out on the willing morons who are slaves to this mediocre OS. Only God knows why consumer groups didn't stop Gates and Co. years ago when they released lousy product after lousy product. With all the hacking that is done to the Windows OS and security issues with DOS, Windows and Internet Explorer, Microsoft is the software equivalent of the

Ford Pinto. The DOJ has to take a lot of responsibility for these failures. How can a group of products so insecure, so dangerous to security keep on getting worse? When everyone else is looking the other way. It's too late now to punish them properly. They're too powerful and successful. Instead of punishing them, which the average consumer will end up taking the heat for, order Microsoft to radically change Windows and all their products so that they are basically the safest software anywhere in the world. We can all agree that security is more important than anything else in the world right now and forever. That's my 2 cents worth of babbling. Thank you for taking the time to read this letter.

Sincerely, David J. Lennard

MTC-00013464

From: Dale Cunningham
To: Microsoft ATR
Date: 1/17/02 3:07pm
Subject: Settlement

As a person who has worked in the IT / DP field for over 20 years, on all platforms, I feel that I have some knowledge of the field and the software in use.

It appears that the settlement is a win / lose situation, with Microsoft getting everything they want and the consumer getting nothing in return. The so called controls that are proposed are laughable when examined closely as is the "gift" to the schools.

Sincerely

Dale M. Cunningham

MTC-00013465

From: Thomas Hewlett
To: Microsoft ATR
Date: 1/17/02 3:08pm
Subject: Microsoft Settlement

There is no question that Microsoft is trying to take advantage of the present economic conditions to avoid the justice it deserves for its anticompetitive behavior over the last 20 years. It would be a huge mistake to allow Microsoft to escape justice because of the present economic difficulty. In the long run it, we would all be better served by encouraging more competition in both operating systems and software. The present economic difficulties will work themselves out, with or without Microsoft.

Thomas Hewlett

MTC-00013466

From: EgaArch2@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 3:09pm
Subject: Microsoft Settlement

Re: Engulf and Devour

As an educator, a longtime business computer user and a concerned American, I have followed the Microsoft Antitrust proceedings with increasing shock and disbelief. Something must be done. Since the beginning of the proceedings some years back, Microsoft's practices have not changed and its position within the industry is stronger than ever. There behavior is criminal and should be treated as such. Every time I think we are close to reaching a solution and putting this behind us, the MS monster rears its ugly head again.

The breakup proposal was far from perfect but would have eliminated the most

egregious problem by eliminating the conflict of interest created by the leveraging the monopoly power in the OS area to build monopolies in other areas. Yes, it would have created two monopolies in place of one; but would have leveled the playing field on the software end allowing for competitors to make inroads.

Microsoft has repeatedly shown that it is incapable of policing itself and their latest proposal was unbelievable in its naked promotion of self interest, furthering my conviction and that of many Americans that they must be made to face up to past abuses and to admit to wrong doing or be desolved as a corporate entity.

Edgar Adams
Assoc. Professor
Roger Williams University
School of Architecture, Art and Historic Preservation

MTC-00013467

From: Kevin Mackett
To: Microsoft ATR
Date: 1/17/02 3:12pm
Subject: Not strong enough

To whom it may concern:

In my opinion, the settlement proposed by Microsoft has no teeth. It only partially deals with the primary business tactics that Microsoft uses to perpetuate their monopoly and does nothing in the way of punishing them for past actions. While I am happy with most the work the DOJ has done under the Bush administration, I am severely disappointed with the way the DOJ now seems to be pandering to Microsoft in the settlement talks. Microsoft's monopoly is bad for the country and bad for the computer industry. Only real competition will bring the "innovation" Microsoft claims to bring.

Kevin Mackett
primary contact—kevin.mackett@nau.edu
Office- on campus only- 2.9277
emergency cell—928.699.7988

MTC-00013468

From: Joe Bernstein
To: Microsoft ATR
Date: 1/17/02 3:13pm
Subject: letter of Attorney General;

My letter was mailed out today, thank you for your help I support Microsoft in their decisions in this matter thank you Joe Bernstein

MTC-00013469

From: Christopher Soeffing
To: Microsoft ATR
Date: 1/17/02 3:21pm
Subject: Microsoft Settlement

I would propose that Microsoft donate 1 billion dollars (cash) towards an education fund. The donations could be spread out over 5 years. Each state would get a share based on population, and each state could determine how to spend the money on education.

MTC-00013470

From: stepnw1f
To: Microsoft ATR
Date: 1/17/02 3:14pm
Subject: My opinion

I feel it is the People's and the government's obligation to ensure that

companies such as Microsoft do not abuse our system of capitalism, which in most cases, infringes on our Democracy as a whole. It is time these huge conglomerates, such as Microsoft pay for their abuses in our country. Hopefully this will send a message to all other companies, which never seem to pay for their abuses, such as Enron, Ford, etc. Do your job. Don't let their power and wealth scare you.

Markus Dubrowski

MTC-00013471

From: Paul
To: Microsoft ATR
Date: 1/17/02 3:21pm
Subject: Microsoft Settlement.

As a student in the IT field who is nearing graduation I feel compelled to comment on the proposed final settlement between the DOJ and Microsoft corporation. I will be entering a workforce that is compelled to often use products that are less technologically superior and more costly than alternatives. This is due to Microsoft's illegal maintenance of its monopoly in desktop operating systems. Having read the proposed settlement, I feel that it is too lenient and contains too many loopholes to be effective in restoring competition to the desktop computer operating system market and the desktop application market. I also feel that the proposed remedy does little to rectify what has happened to the companies that were crushed by Microsoft's illegal behavior.

It should be clear that with Microsoft's recent entries into almost every consumer electronics device market that Microsoft will seek to drive growth in these markets by leveraging the power of its illegal monopoly. Already we have copy protected audio CD's that will only play on Windows computers and take advantage of the Windows Media Player format. Over 90% of all DVD players will soon recognize Windows Media format as well. These are direct consequences of the illegal maintenance of their monopoly. What about Apple's operating systems as well as the free Linux operating system which many more people are running every day? As it stands right now there are audio CD's that will not play on my computer if I am running Linux and I feel that the proposed settlement would do nothing to change this matter. As it is outlined in the settlement Microsoft could claim that releasing any API's for Windows Media Player would violate the security loophole that they have built into the settlement and further the reliance on Windows.

I also find the section dealing with the technical committee to be absurd. This allows MS to choose one of the 3 people assigned to oversee it. I wish that if I was ever convicted of a crime that I could oversee part of the makeup of the parole board. But of course that only happens for corporations with 30 billion dollars in cash. This board would also only have authority for five years and does not seem to have much power to punish MS if they continue with their wrongdoing. I am publicly against the proposed settlement and call for a stronger remedy that does not allow Microsoft to continue its past practices.

Paul Virijevich

MTC-00013472

From: Daniel Park
To: Microsoft ATR
Date: 1/17/02 3:19pm
Subject: microsoft settlement

Please understand the strangle hold Microsoft has on the computer software industry. Their clout deepens year after year through continual strategies of political lobbying, hostile takeovers, and bullying maneuvers towards consumers and businesses. With their now current proposal of "donating" computer handouts to underprivileged schools instead of paying the proposed cash settlement, this tactic further restricts the very nature of the whole initial debacle; that of restricting competition. The RIGHT thing to do would be to have Microsoft front the billion dollars and let the schools decide which is the better candidate of computer systems, rather than receiving corporate handouts of second rate PC's and unreliable software.

thank you for giving me this opportunity to write to the Department of Justice.

"The only problem with Microsoft is they just have no taste, they have absolutely no taste, and what that means is—I don't mean that in a small way, I mean that in a big way. . . .so I guess I am saddened, not by Microsoft's success—I have no problem with their success, they've earned their success for the most part. I have a problem with the fact that they just make really third rate products."

- Steve Jobs (founder and CEO of Apple, Pixar, NeXT)

MTC-00013473

From: Bob Shelgren
To: Microsoft ATR
Date: 1/17/02 3:21pm
Subject: Microsoft Settlement
January 17, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft,

I am pleased that the Department of Justice and Microsoft have reached a mutually acceptable agreement in the Microsoft antitrust lawsuit. I sincerely hope that the designated Federal judge will approve the proposed terms of settlement which I believe are both fair and reasonable for all parties.

However, I am concerned about the other related antitrust lawsuit against Microsoft that represents the interests of the nine states which do not concur with the above approach. It is obvious that they are very biased and motivated by a desire to support several of Microsoft's strongest competitors which are resident in their states, (e.g. Sun Microsystems in Massachusetts). They have seized the opportunity to attempt to "level the competitive playing field" versus Microsoft by means of extended antitrust litigation. At no time during the past two years has there been any substantive evidence presented which shows that the general public customers have been unfairly victimized by the alleged monopolistic actions of Microsoft. Instead, these nine

states are trying to divert the focus of the issues in such a manner as to further provide some competitive advantages to their constituents. This is wrong.

In view of the present state of the U.S economy, it is time to end this legal action and devote our country's efforts and resources to meaningful activities that will promote the general welfare of the American public. I respectfully request that you move to terminate any further efforts to prosecute Microsoft in this regard.

Sincerely,

Robert N. Shelgren

CC:fin@mobilizationoffice.com@inetgw

MTC-00013474

From: Octavio Guzman
To: Microsoft ATR
Date: 1/17/02 3:25pm
Subject: Microsoft Settlement

Hello, I am currently not happy to see Microsoft not split up, for years I have been oppressed by others that use Windows, and the Macintosh has always been ahead, and Microsoft is trying to get ahead of the law. Not one company even among the wealthiest obtain the power to buy themselves out of trouble. By buying out companies, they never want to have competition. Apple works hard to keep their competition alive, and the alligators at Microsoft are attempting to get into Apple's remaining pond. Their suggestion of distributing free computers was hypocritical to their monopoly scandal. I must also mention that if they want to settle out, it should have been with the betrayed Apple customers.

Thank you,

Octavio Guzman

MacAddict since 1984

MTC-00013475

From: Educator Concerned
To: Microsoft ATR
Date: 1/17/02 3:24pm
Subject: Microsoft Settlement

Dear esteemed members of the DOJ ruling on the Microsoft case: I would like to express my strong concern in the pending decision in the Microsoft Antitrust settlement.

I am a certified teacher and IT professional as well. I am equally comfortable on the Windows and Macintosh platforms. Simply put, letting Microsoft donate PCs, software, and money to schools is not a punishment, it is a reward. This is already a part of their business plan and would strengthen their monopoly on software in one of the few realms in which they were not the omnipresent player.

Apple has long been an advocate for education and has many technological initiatives in schools. If Microsoft wishes to try to create a monopoly in yet another area of business (education software, making Windows the dominant platform in schools), it is essential that they not be aided in this effort by the US government. This seems to completely reverse the reasons why Microsoft was taken to court in the first place.

I certainly hope that Microsoft decides, for philanthropic and not business reasons, to put time, money, and effort into helping education in the US. Microsoft should not be

allowed to put software and money into schools as part of a plan to increase market share. Letting them do so would be completely counterintuitive. Thank you.

Sincerely,

A concerned cross-platform educator

MTC-00013476

From: Chuck
To: Microsoft ATR
Date: 1/17/02 3:24pm
Subject: Microsoft Settlement.

I think what I have read about the settlement is sickening. The USDOJ is letting these people get away with everything. . . almost no penalty for hurting innovation. For monopoly. This country was supposed to insure a free market. This is a failure of the current administration. . . .proving once again that the US is more interested in Big Business than the lifeblood of workers that this country thrives on. This is a shame.

Chuck Campbell

MTC-00013477

From: johno@MIT.EDU@inetgw
To: Microsoft ATR
Date: 1/17/02 3:26pm
Subject: Microsoft Settlement

Dear Justice Department,

I want to commend you on successfully convicting Microsoft for its antitrust violations and documenting its many anticompetitive business practices over the years.

Further, I urge you to consider harsher punishments for Microsoft than are contained in the currently proposed settlement. The settlement rightly protects the rights of computer retailers to include competing browsers, icons, applications, and operating systems pre-installed in their products. However, it does not do enough to protect end users and competing operating systems. I recommend that Microsoft be required to publish openly the file formats for its Word, Excel, and PowerPoint applications, which are so frequently included as email attachments that the inability of competing products to view them properly helps protect Microsoft's Windows and Office monopolies.

MIT's Unix-based campus network development has given the world valuable technologies such as the X window system and Kerberos authentication. Yet we at MIT, like the rest of the world, cannot read and write publicly traded documents in the ubiquitous .DOC, .XLS, and .PPT formats without purchasing both Windows and Office from Microsoft, for a cost of \$600 per machine, plus the cost of upgrading hardware for the high memory requirements of Windows XP. Forcing these file formats to be published openly would allow real competition in the lucrative office software market, which in turn would bolster competition in the desktop operating system market.

The recent decisions by Microsoft to exclude Apple's Quicktime movie player and Sun's Java runtime environment in its new XP operating system show that the company still values eliminating competitive threats far above consumer choice and convenience.

The settlement you choose must not therefore rely on the goodwill of Microsoft or the belief that they will follow the spirit of the remedy rather than merely the letter. Any loopholes you leave them will surely be exploited.

You are currently in the valuable and hard-won position of having found this monopolist guilty of literally hundreds of anticompetitive acts. We as a nation and marketplace have a rare chance now to put an end to it. I urge you to make the proposed settlement harsher toward Microsoft, not just preventing future practices but also penalizing them for their past acts that have left lasting damage to the industry. Most importantly, I urge you to require open publication of the proprietary file formats Microsoft still uses to maintain their operating system and office software monopolies.

Thank you for your time and consideration.

John Obenauer
John Obenauer, Ph.D.
Yaffe Lab/Center for Cancer Research
Massachusetts Institute of Technology
Room E18-576
Cambridge, MA 02139
Phone (617) 452-2520

MTC-00013478

From: Casey Arman
To: Microsoft ATR
Date: 1/17/02 3:35pm
Subject: Microsoft Settlement

I think the proposed settlement for the Microsoft Antitrust case is a mockery of the American Judicial system. In essence, their penalty would be to donate antiquated Hardware (computers), Microsoft brand Software and a measly sum of money to the only remaining sector of American life that is currently outside the scope of their monopoly, the education market. This settlement would, in the long run, serve to benefit Microsofts interest by opening the door for them into an as yet untapped market. A market that has been served faithfully and reliably for years by their only true competitor, Apple Computer. Furthermore, this settlement may damage, and even drive out of business their rivals. Practically granting Microsoft a government approved, total monopoly of the Software market.

Microsoft's case is consumer based. Yet their proposed settlement revolves around the education market. They are attempting to manipulate the Courts in order to serve their goals. It is the most disgusting display of predatory business practice I have seen from Microsoft to date. Microsoft started out by mistreating and misleading consumers. But now they have grown up, and are disrespecting our Courts.

I believe the original penalty, a split up of Microsoft, was a fair and beneficial to our society. Microsoft makes too much of a profit to be affected by any financial penalties. I urge you, in the name of fair business practice, and for the good of our consumers, reinstate the Split and send a message that we will not tolerate abusive corporations in the United States of America.

Thank You,
Casey Arman

MTC-00013479

From: Jon Grizzle
To: Microsoft ATR
Date: 1/17/02 3:33pm
Subject: Microsoft Settlement

I have seen no problem with the way Microsoft conduct their business. However, I would like more e-mail security and less snooping about home computers. Snooping across the Internet by down loading someone's hard drive is a big problem. We know that snooping is carried on by Government and by Corporate America. They should stop it and only in extreme conditions would Government be allowed to snoop.

Companies like Enron should have never been allowed to get to the point of bankruptcy before their employees were notified one year in advance. And Enron top dogs should pay dearly for running lives. Al-Qaida has nothing on Enron top dogs!

Leave Bill Gates alone and spend prosecuting money & time on Enron. . .

Regards,
Jon Grizzle

MTC-00013480

From: Bruce Sesnovich—Information Products
To: Microsoft ATR
Date: 1/17/02 3:24pm
Subject: Microsoft Settlement

Dear Sir or Madam,

I write to you during this public comment period to express my profound disappointment with the Department of Justice's proposed settlement in the Microsoft case.

In my opinion, the proposed settlement fails to ensure competition, fails to impose any significant penalty on Microsoft for past anticompetitive practices, and fails to dissuade such behavior in the future. Finally, it is my opinion that such remedies as are included in the settlement lack effective enforcement provisions.

Critical to any meaningful remedy would be a requirement for Microsoft to standardize and publish its proprietary Windows applications programming interfaces (APIs), as well as the file formats of its popular Office applications. Publication of and adherence to APIs is commonplace across the software industry. Having public APIs and open standards allow interoperation of many products from disparate sources. This encourages innovation and broad compatibility among products, and ultimately benefits the consumer.

As long as Microsoft is allowed to keep details of its APIs and file formats selectively hidden, it can ensure that any particular non-Microsoft product will not work consistently and reliably with its operating systems or Office applications. This further leverages its monopoly powers to the detriment of innovation, competition, and consumer interest.

I also find it disturbing that the proposed settlement includes no redress for or restriction on monies that Microsoft earned as a direct result of its anticompetitive practices. There is no provision to surrender any of these funds, nor even to prevent the company from using them in the future to buy up and squelch its competitors' products or the competitors themselves.

Finally, the enforcement provisions of the proposed settlement are far too weak to have substantive impact on a company with Microsoft's resources. Given the company's history of repeatedly flouting attempts to regulate its monopolistic behavior, it is my opinion that the inspection mechanisms to ensure compliance with DOJ settlement provisions need to be much more rigorous, and the penalties for violating them draconian. His Honor Judge Penfield-Jackson's suggested remedy of breaking up the software company would probably give Microsoft's top executives some pause. Anything less seems unlikely to have a notable effect.

Sincerely,
- B. A. Sesnovich
Concerned citizen and computer professional
<bruce.sesnovich@sun.com> Work
<voidoid@acm.org> Home
CC: voidoid@acm.org@inetgw

MTC-00013481

From: jsedwards
To: Microsoft ATR
Date: 1/17/02 3:33pm
Subject: Microsoft case
I use Sun's Java platform and Microsoft Products.

I feel that Sun has made a lot of noise over this issue. The same is true, in my opinion, for others that took part in the litigation against Microsoft. Certainly the parties disagree and some changes are needed, however, the way the entire proceedings have been conducted from start to now causes me concern and problems.

I do believe that Sun and others have pushed so hard because of Microsoft's reputation. It's too bad that some of us, me included, happen to be much smaller in power than others.

James H. Edwards

MTC-00013482

From: Kris Spiesz
To: Microsoft ATR
Date: 1/17/02 3:38pm
Subject: Microsoft Settlement
Findings of Law

The findings of Fact and Law where untouched by the appeal. As such, why does the settlement in the initial whereas section state that "this Final Judgement does not constitute any admission by any party regarding any issue of fact or law."? This feels like giving up much of what has been gained.

Open Source Several sections (III.I.1, III.I.3) of the Settlement state that APIs will be available to other companies that can show a business case for needing it. Open Source Software, by its nature, is not a business and thus cannot show a business case for anything. Note that Microsoft has declared to the press that currently the most important competitor to Microsoft is Linux, an Open Source product. SAMBA, an Open Source interoperability product, would also have problems under this settlement.

Security Loophole Section III.J.1 of the settlement entitles Microsoft to not make available its APIs if a security concern can be raised. As such, given Microsoft's past

historical behavior, Microsoft is likely to put just enough security between items to ensure that any APIsw Microsoft shares are useless without the seucrity APIs not available to Mcrosoft's competitors.

Enforcement. There is no clause for enforcement in the settlement. If Microsoft violates the settlement a new court case will need to be started to do anything about enforcement. Historically this takes three to seven years, thus is likely to run beyond expected termination.

Termination Is five years long enough for this settlement to run. Given the past history of litigation between Microsoft and the US Government, Digital Research, etc.; I expect that five years is not nearly long enough. Twenty would be better.

CC:attorney.general@state.mn.us@inetgw

MTC-00013483

From: paul
To: Microsoft ATR
Date: 1/17/02 4:37pm
Subject: Microsoft antitrust

Microsoft has made the government lawyers look stupid. Or maybe they've just been bought off. It's clear to all us software users that the company concentrated on establishing a monopoly instead of product quality. Their software doesn't work well and doesn't have the feature I want but I have no choice because the bought up or ran off any business that looked like competition.

I'd like the government to do its job, protect consumers from predatory businesses. Make Microsoft open up its software so competition can happen. Breaking up the company would be best.

The government lawyers look like idiots or crooks letting them stall and beat down the first decision. It's like convicting a killer and letting him stay out of jail to kill again. That's what Microsoft just did withe XP, kill competition again. I may have to upgrade to XP to maintain up-to-date compatibility but I don't need any of XP's few new features and I don't like the way the software invades my privacy and narrows my choices. Get off your ass and do your job!!!!

Give them back their bribes and political contributions!!!!

Disrespectfully,
Paul Haney

MTC-00013484

From: Dick
To: Microsoft ATR
Date: 1/17/02 3:39pm
Subject: Settlement with Microsoft

I am opposed to the proposed settlement with Microsoft. Microsoft has been held to be a monopolist but is continuing to exploit its monopoly. Not only does it overcharge for its software, Microsoft continues to act in ways that only a monopoly can get away with. Its newest software products (Office XP, XP At Home) are keyed to fail (stop working) if the user changes her hardware configuration. So if I replace a failed hard drive or decide that I need a new modem then I must call Microsoft to plead for a new key code to get my system to keep working. And if there are any (inevitable) snafus or Microsoft does not believe me or agree with me? Why then I might have lost all access to important

financial records, be unable to continue electronic commerce and go bankrupt. Rational business people would not incur such risk if there were viable alternatives but Microsoft has used its monopoly position to systematically stamp out alternatives. A competitor could not use such extortionate methods. Subaru (Fuji Heavy Industries) might disallow warranty claims if I change the configuration of my car but they have no legal basis to disable its operation and attempting to do so would guarantee their quick exit from business. Microsoft would like to be able to remotely intrude into customers computers to sabotage working software. That is one of the goals of the UCITA state legislation they back.

This is only one example of Microsoft's arrogance and abuse of monopoly power. It is vital to the future of this nation that Microsoft be stopped. They must be stopped from crushing innovation and alternatives as they are bent upon doing. The proposed settlement does not come close to doing that and will see continuation of abuses.

Thank you for your attention.

Regards-Dick Wilmot dwilmot@lanset.com

MTC-00013485

From: Amanda Smith
To: Microsoft ATR
Date: 1/17/02 3:41pm
Subject: Microsoft settlement

Dear Department of Justice:

Although I was deeply disappointed that the Department of Justice chose not to reprimand Microsoft by seeking a restructuring of their company, I am pleased that you have recognized and acknowledged the company's history of deceptive and unfair business practices. I am a small business owner, a Republican, and consider myself to be very

pro-business. However, it had been clear to me and my business partners that Microsoft has made a practice of keeping its competition—as well as its potential competition—from even entering the personal computer and software marketplace.

Thank you for recognizing Microsoft as a monopoly and for taking action in an attempt to ensure fairness in their business affairs now and in the future.

Very truly yours,
Amanda L. Smith
ospredesign
941-746-0144

amanda@ospredesign.com

http://www.ospredesign.com

Providing freelance design to book publishers

CC:giles@ospredesign.com@inetgw

MTC-00013486

From: Joel Ingulsrud
To: Microsoft ATR
Date: 1/17/02 3:40pm
Subject: Microsoft Settlement

Dear DOJ,

Microsoft's illegally acquired dominance in computer operating systems is enabling them to dominate network protocols and services.

From both a personal and professional standpoint I would strongly urge the DOJ to pursue the strongest possible punishment so that Microsoft is rendered incapable of controlling the future of the Internet.

For example, Microsoft products should be disqualified from any tax-funded technology use within the US Federal government, including all Federal employee computing and federally funded educational technology programs.

Alternative operating system and application software developers would then have a significant opportunity to recover from Microsoft's anti-competitive crimes.

The wealth Microsoft has generated is a pittance compared to the costs associated with de facto use of their mediocre technology and the untold lost opportunities for productivity improvement and technological advancement that an even playing field would have allowed.

The more the DOJ does to eliminate Microsoft's ability to propagate proprietary technology, the better the world of technology will be for the citizens of this country.

Sincerely,
Joel Ingulsrud
joel@thirdculture.com
+1 916 705 4678

MTC-00013487

From: Bace, Chuck (Oracle)
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/17/02 3:45pm
Subject: Microsoft Settlement

The government sold out big time. I voted for Bush, but support Microsoft's breakup!

MTC-00013488

From: Cameron Huff
To: Microsoft ATR
Date: 1/17/02 3:44pm
Subject: Microsoft Settlement

To whom it may concern,

I would like to express my concern for the recent new of Microsoft buying patents from SGI. I believe this is an attempt by Microsoft to destroy a competing standard (OpenGL) by purchasing the rights to the patents and then making it impossible for anyone to use them. I believe that the only reason Microsoft is doing this and can do it is that the company feels threatened by a competing standard and rather than improving Microsoft's own products (DirectX), instead they will buy the competitor and destroy it.

If this is not a clear case of a monopoly doing whatever it feels like, then nothing is.

Cameron Huff

MTC-00013489

From: GOPRoJo@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 3:48pm
Subject: Microsoft

Mr. Attorney General Ashcroft

Dear Sir:

Please advise the Federal Judge who is handling the Microsoft case to let it go! "Enough is enough"!! Microsoft has suffered enough at the hands of greedy States Attorneys Generals.

A GOP Loyalist

MTC-00013490

From: Jim Nearing
To: 'Microsoft.atr(a)usdoj.gov'
Date: 1/17/02 3:46pm
Subject: Microsoft Settlement

I continue to be amazed at the continuing behavior of Microsoft and the continuing information brought to light.

Yesterday I read on slashdot (<http://www.slashdot.org>) that Microsoft has purchased the rights to the OpenGL graphics programming interface from Silicon Graphics.

This API is in direct competition and is superior to Microsoft's DirectX API. These programming interfaces are used for creating computer games. The only intent Microsoft has in purchasing the OpenGL patents is to kill OpenGL, leaving DirectX the only tool available to game developers. Since OpenGL is used for creating games for the Linux platform, this also serves to eliminate the availability of games for Linux, forcing computer game players to use Windows.

I don't understand why Microsoft is allowed to purchase competing technologies, given their continuing monopolistic behavior.

Jim Nearing

Vectura Technology Integrators

MTC-00013491

From: Jesse

To: Microsoft ATR

Date: 1/17/02 2:41pm

Subject: Microsoft Settlement

To the United States Department of Justice,

I'm a self-employed computer consultant working in eastern Washington. As a small business owner/operator, I don't have much time to spend on superfluous activities like composing long editorial diatribes. After all, I have to be the janitor, accountant, tax lawyer, bread winner, well. . . you get the picture.

In any case, I felt compelled to add my voice to this issue of the "Microsoft Settlement." I've been in the the computer and information technology industry for 18 years. In those 18 years, I have personally seen how the Microsoft monopoly has developed, from its embryonic beginnings in the early '80s, to its stranglehold in present time.

I am a true believer of capitalism, and hold dearly to the idea that you get what you work for. But when a company controls all but 5 percent of the world's computer systems, something needs to be done. This is not speculation or exaggeration, it is a fact. When a customer, or supplier, can order any computer system they wish from a top-tier PC manufacturer, as long as it comes with a Microsoft Operating System, it's gone too far. Allowing Microsoft to continue on its way will only hasten the development of the Microsoft refrigerator, Microsoft Motor Company, Microsoft Burger King, and Microsoft Grocery Store line.

The computer and information technology industry needs true competition in the operating system and productivity software markets. Please add my voice to those that hope for a settlement that would at minimum, break Microsoft into two parts, operating systems, and productivity applications. Anything less than a breakup, will do nothing to stop the monopoly. Even then, the two Microsofts would own their respective markets, but at least it would hopefully put an end to the unholy alliance

between the two, and allow some semblance of competition.

Best Regards,
Jesse Mireles
Yakima, WA

MTC-00013492

From: Krystle Hunt

To: Microsoft ATR

Date: 1/17/02 3:52pm

Subject: microsoft settlement

Dear Judge,

I feel that the Proposed Final Judgment concerning Microsoft would be an unfair act. Microsoft should not be able to have a monopoly because everyone deserves a fair chance in the free market. Microsoft is a great company but competition should be allowed, especially because new people and their ideas will exist in the near future.

Krystle Hunt
(213) 764-9730
Los Angeles, CA

MTC-00013493

From: Emory Dively

To: Microsoft ATR

Date: 1/17/02 3:54pm

Subject: In reference to the Anti-Trust case.

While a capitalistic society is necessary and desirable, there is a line that companies should not cross on their journey to success. I approve of the charges set forth against Microsoft claiming that they are a monopoly. However, I do not think that a punishment that really is not a punishment would help. I was deeply pleased that their punishment would not be that they must donate Windows based machines to poorer school, because in reality that would actually help them. Of course all this already happened. What I would like to see happen with this case is, Microsoft would have to start bundling Netscape or Mozilla web browsers, and remove their seamless interaction with Internet Explorer, but rather allow the user to chose which Browser Windows should interact with "seamlessly."

Also, I believe Microsoft should have to pay educational facilities with the intent of technology. However, in the interest of the free market, they should be able to chose their own OS, Parts, and Applications they would like to use. In reality, many schools prefer Apple/Motorola based systems because of their network ease.

All in all, I am sure this will work out, and the best decision will be made.

Thanks for your time,
Emory D. Dively

MTC-00013494

From: zenda eby

To: Microsoft Settlement

Date: 1/17/02 9:02am

Subject: Microsoft Settlement

zenda eby

4405 CR 6260

Lubbock, TX 79415-9703

January 17, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a

serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
zenda eby

MTC-00013495

From: Dan Shipos

To: Microsoft Settlement

Date: 1/17/02 9:09am

Subject: Microsoft Settlement

Dan Shipos

172 Ludlowville Rd.

Lansing, NY 14882

January 17, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Dan Shipos

MTC-00013496

From: Bruce Martin

To: Microsoft Settlement
 Date: 1/17/02 8:59am
 Subject: Microsoft Settlement
 Bruce Martin
 729 Michelle Pl
 Coppell, tx 75019
 January 17, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
 Bruce Martin

MTC-00013497

From: Ted Rust
 To: Microsoft ATR
 Date: 1/17/02 3:57pm
 Subject: Microsoft Settlement
 To Whom It May Concern:

I wanted to take a moment to let you know how strongly I feel about this case. I am appalled at the things Microsoft has done and the things that they always get away with. As a computer software professional, I think the detriment they have caused to our industry is immeasurable. They claim to innovate, but they simply squash whomever they can. They claim to leverage disparate technologies, but they simply buy out the competition and throw it away in preference of their own product. I don't think that Netscape is the only company or group of people to have suffered at the hands of Microsoft. I think Apple may be one of the hardest hit, as a company. I really feel that the entire population has suffered, though. The lack of viable competition to this juggernaut of a company has slowed (and stopped, in many cases) the rate of innovation usually experienced in our industry.

I find it difficult to express my disappointment and anger at the outcome of every failed battle against Microsoft. Please, just take into account that I represent a large

group of unsatisfied people in the public that wish something would be done to protect us from the iron-fisted rule of Microsoft. Just because they have a potentially limitless barrel of cash, does not mean that they should be able to do whatever they want.

Microsoft deserves to be punished. I think they should have to pay the billion dollars they offered, but 100% of it should go towards competitive software and hardware. Buy Apple Macintosh computers and software from Corel and smaller independent software vendors. Let Microsoft feel the cutting edge of their own money.

Thank you for your time and I respect the difficulty of your decision.

Please take your time and consider the ethics lesson our future leaders will receive from the outcome of this case.

Sincerely,
 Ted Rust
 750-66 Mobil Av
 Camarillo, CA 93010
 805.484.9585

MTC-00013498

From: Chong, Joe
 To: 'Microsoft.atr(a)usdoj.gov'
 Date: 1/17/02 3:57pm
 Subject: Microsoft Settlement

The opinion stated here is mine and does not reflect the opinion of my employer.

As a Windows user, a Windows developer, and a Macintosh user, I think that a settlement for Microsoft abuses of its monopoly should include a mandatory development of all Microsoft non-operating system software (such as fully featured Microsoft Office) on other operating system platforms than Windows, especially for Mac OS X and possibly Linux. The Visual Studio Suite should also be completely portable to Mac OS X. This will ensure that Microsoft will not be able to use its Windows OS monopoly to crush competition from Apple. The mandatory period should be long enough (5-10 years) to make sure that these software development efforts will be mature.

Sincerely,
 Songsdhit Chongsiriwatana

MTC-00013499

From: TED Ruhf
 To: Microsoft Settlement
 Date: 1/17/02 8:27am
 Subject: Microsoft Settlement
 TED Ruhf
 405rockhill circle
 Bethlehem, pa 18017
 January 17, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
 Ted Ruhf

MTC-00013500

From: Rich Droske
 To: Microsoft Settlement
 Date: 1/17/02 9:55am
 Subject: Microsoft Settlement
 Rich Droske
 P.O. Box 355
 New Alexandria, pa 15670-0355
 January 17, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
 Rich Droske

MTC-00013501

From: darcy oresky
 To: Microsoft Settlement
 Date: 1/17/02 11:47am
 Subject: Microsoft Settlement
 darcy oresky
 3696 bacon
 berkley, mi 48072-1175
 January 17, 2002
 Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Darcy Oresky

MTC-00013502

From: Lawrence Brown
To: Microsoft Settlement
Date: 1/17/02 9:56am
Subject: Microsoft Settlement
Lawrence Brown
RR1 Box 520
Scotrun, PA 18355-9620
January 17, 2002

Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Lawrence J. Brown

MTC-00013503

From: david imperi
To: Microsoft Settlement
Date: 1/17/02 8:08am
Subject: Microsoft Settlement
david imperi
609 roby rd
huntington, wv 25705
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

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Thank you for this opportunity to share my views.

Sincerely,

David Imperi

MTC-00013504

From: Jerry Cox
To: Microsoft Settlement
Date: 1/17/02 10:22am
Subject: Microsoft Settlement
Jerry Cox
8562 E. Co. Rd. 550 S.
Fillmore, IN 46128
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Jerry D. Cox

MTC-00013505

From: Nancy Hundley
To: Microsoft Settlement
Date: 1/17/02 8:58am
Subject: Microsoft Settlement
Nancy Hundley
P O Box 643
Harrison, AR 72602
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Nancy Hundley

MTC-00013506

From: Reubelita Locatelli
To: Microsoft Settlement
Date: 1/17/02 10:14am
Subject: Microsoft Settlement
Reubelita Locatelli
19 Maple
Calumet, MI 49913
January 17, 2002

Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Reubelita E. Locatelli

MTC-00013507

From: Brian Wegener
To: Microsoft Settlement
Date: 1/17/02 9:20am
Subject: Microsoft Settlement
Brian Wegener
2615 Columbia Dr.
Endwell, NY 13760-2301
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

Brian Wegener

MTC-00013508

From: Janos Szeman
To: Microsoft Settlement
Date: 1/17/02 11:32am
Subject: Microsoft Settlement
Janos Szeman
2105 Washington Valley Rd.
Martinsville, NJ 08836
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Janos Szeman

MTC-00013509

From: Brian Witwicki
To: Microsoft Settlement
Date: 1/17/02 9:44am
Subject: Microsoft Settlement
Brian Witwicki
3179 Teal Bay Court
Aurora, IL 60504
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Brian Witwicki

MTC-00013510

From: Bob Windle
To: Microsoft Settlement
Date: 1/17/02 9:41am
Subject: Microsoft Settlement
Bob Windle
4000 Ace Lane #107
Lewisville, TX 75067
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Bob Windle

MTC-00013511

From: Glenn Wolfe
To: Microsoft Settlement
Date: 1/17/02 8:23am
Subject: Microsoft Settlement
Glenn Wolfe
4315 Mockingbird Lane

Toledo, OH 43623-3218

January 17, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

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MTC-00013512

From: Zena Holderbaum

To: Microsoft Settlement

Date: 1/17/02 9:58am

Subject: Microsoft Settlement

Zena Holderbaum

52801 Baker Rd.

Chesterfield, MI 48047-3109

January 17, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

Zena M. Holderbaum

MTC-00013513

From: Gary Blokland

To: Microsoft Settlement

Date: 1/17/02 11:30am

Subject: Microsoft Settlement

Gary Blokland

8942 Stony Brook Circle

Riverside, CA 92508

January 17, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Gary Blokland

MTC-00013514

From: Ralph Wilt

To: Microsoft Settlement

Date: 1/17/02 10:39am

Subject: Microsoft Settlement

Ralph Wilt

3950 Salvation Rd

Florissant, mo 63034-3332

January 17, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Ralph A. Wilt, Jr

MTC-00013515

From: Jerry Milligan

To: Microsoft Settlement

Date: 1/17/02 11:32am

Subject: Microsoft Settlement

Jerry Milligan

22501 Shorewood

St. Clair Shores, MI 48081

January 17, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Jerry M. Milligan

MTC-00013516

From: W. David Gibson

To: Microsoft Settlement

Date: 1/17/02 10:52am

Subject: Microsoft Settlement

W. David Gibson

2880 Farr Road

Fruitport, MI 49415-9610

January 17, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

W. David Gibson

MTC-00013517

From: Karen Antunes

To: Microsoft Settlement

Date: 1/17/02 8:31am

Subject: Microsoft Settlement

Karen Antunes

908 Crenshaw Lake Road

Lutz, FL 33548-6109

January 17, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

Karen Antunes

MTC-00013518

From: Margaret Anders

To: Microsoft Settlement

Date: 1/17/02 9:38am

Subject: Microsoft Settlement

Margaret Anders

512 Dogwood St.

Redfield, AR 72132

January 17, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Margaret Anders (73)

MTC-00013519

From: Charles Schneider

To: Microsoft Settlement

Date: 1/17/02 11:11am

Subject: Microsoft Settlement

Charles Schneider

PO Box 191

Ogunquit, ME 03907-0191

January 17, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the

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Thank you for this opportunity to share my views.

Sincerely,

Charles W. Schneider

MTC-00013520

From: Donna Bolstad

To: Microsoft Settlement

Date: 1/17/02 10:38am

Subject: Microsoft Settlement

Donna Bolstad

4518 Ladyslipper Ave N

Brooklyn Park, MN 55443-1553

January 17, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

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Thank you for this opportunity to share my views.

Sincerely,

Donna Bolstad

MTC-00013521

From: Norma Summers

To: Microsoft Settlement

Date: 1/17/02 11:15am

Subject: Microsoft Settlement

Norma Summers

1304 E. 10th St. Apt. 16B
 Atlantic, IA 50022-1942
 January 17, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

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Sincerely,

Norma Summers

MTC-00013522

From: Frank Williams
 To: Microsoft Settlement
 Date: 1/17/02 11:32am
 Subject: Microsoft Settlement
 Frank Williams
 710 Peachtree St Suite 920
 Atlanta, GA 30308
 January 17, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

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Sincerely,

Frank Williams

MTC-00013523

From: Drucilla Biddle
 To: Microsoft Settlement
 Date: 1/17/02 9:33am
 Subject: Microsoft Settlement
 Drucilla Biddle
 832 Union Chapel Rd.
 Ft. Wayne, In 46845-9635
 January 17, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

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Sincerely,

Drucilla Biddle

MTC-00013524

From: John Foster
 To: Microsoft Settlement
 Date: 1/17/02 9:40am
 Subject: Microsoft Settlement
 John Foster
 1908 Seminole Road
 Atlantic Beach, FL 32233-5918
 January 17, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,

John D. Foster, M.D.

MTC-00013525

From: Farida Greene
 To: Microsoft Settlement
 Date: 1/17/02 9:08am
 Subject: Microsoft Settlement
 Farida Greene
 108 NW Av H Pl, PO Box 302
 Belle Glade, FL 33430-0302
 January 17, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,

Farida H Greene

MTC-00013526

From: Joanne Murray
 To: Microsoft ATR
 Date: 1/17/02 4:04pm
 Subject: Microsoft Settlement.

RE:Microsoft Settlement. We the consumers of the nation want to have all of the options offered in the various Microsoft products and services. the settlement is fair. Get on with it. Joanne & Jay Murray

MTC-00013527

From: Douglas Aalseth
To: Microsoft ATR
Date: 1/17/02 4:05pm
Subject: Microsoft settlement

The proposed settlement is a total sell out. I cannot say too strongly how disgusted I was when I read the details. I have been working in the computer industry for over a decade on many platforms and can without any hesitation say that Microsoft has measurably hurt its competitors, the industry, and this nations computer infrastructure. They deserve to be as severely punished for their crimes as the rest of the industry and this country has been punished by their monopoly.

The current settlement proposal does nothing to punish Microsoft, to redress its past actions, or even to do anything to prevent future rapacious behavior. After all Microsoft has a well documented history of signing legal agreements and then ignoring them. It is a total sell out being proposed for purely political reasons by the Bush administration. The punishment proposed by the trial judge was set aside by higher courts on technical grounds, not due to any intrinsic flaw in the remedy. It is still the best answer. Only by dividing Microsoft into many parts, perhaps many more than that proposed by the trial judge can Microsoft be forced to give up its monopoly. To do anything less would be to betray the trust of the American people and to undermine their belief in our judicial system. We did it a hundred years ago with Standard Oil. It is now time to do it again.

I strongly urge you to reject this settlement and impose a fitting punishment, one even harsher than that proposed by the trial judge.

Douglas Aalseth
Computer Industry Professional
1565 Sherwood Road
Shoreview, MN 55126

MTC-00013528

From: Sheryle Crowell
To: Microsoft Settlement
Date: 1/17/02 10:05am
Subject: Microsoft Settlement
Sheryle Crowell
80336 Hornsby Lane
Hermiston, Or 97838
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Sincerely,
Sheryle Crowell—Hermiston, Or

MTC-00013529

From: Rio
To: Microsoft ATR
Date: 1/17/02 4:30pm
Subject: API Documentation

Unless Microsoft is required to fully document ALL APIs, it will continue to kill the software industry by:

- * changing the operating system so competitors products will not work
- * include features and functions in its own products which are not available to competitors

Never before in the history of computers, has an OS's APIs been deemed ?intellectual property1 or ?for security reasons1.

Thank you.
Rio Sabadicci
mailto:rio@insidersoftware.com
760-804-9900
———< <http://www.insidersoftware.com>

MTC-00013530

From: m. thompson
To: Microsoft ATR
Date: 1/17/02 4:12pm
Subject: MICROSOFT SETTLEMENT

To the Dept. of Justice,

Enough is enough of hounding Microsoft. From reading The N.Y. Times, The Wall Street Journal and other publications, it is perfectly clear that the litigation against Microsoft has been (and is) politically motivated out of competitive pique. In its short life, Microsoft has given us consumers, the world over, an innovative & high quality product (second to none) which has enriched our lives. Microsoft has been accused of predatory marketing practices—not so. In my opinion, Microsoft's marketing strategies are in the best tradition of American Capitalism and economic competition. Those who can't compete should work harder or just drop out of the fray. In the best interest of the U.S. economy and the consumer, all litigation against Microsoft should be resolved and terminated as quickly as possible so that Microsoft can get back to doing what it does best—research and development of software. Microsoft has made America proud.

Sincerely yours,
Marcia Pe?a Thompson
300 Fox Chapel Road Apt. 206
Pittsburgh, Pa, 15238

MTC-00013531

From: Matias Moyano
To: Microsoft ATR
Date: 1/17/02 4:12pm
Subject: about "Bar public from witness questioning"

hello, i will like you to read this please, dont accept what microsoft is asking for. . .

everyone of us, like every one of the users of microsoft products wants to follow the proceedings against microsoft in the "new case" against microsoft. in less words, i want to read in every news paper in every country around the world what can the witnesses say in the antitrust case against microsoft! i want to see, hear or read what is being said on the pre-hearings!, dont leave us out!

ICQ#:29551041
Current ICQ status:
SMS: (Send an SMS message to my ICQ):
+278314229551041
More ways to contact me: <http://www.icq.com/29551041>

MTC-00013532

From: Dan Herman
To: Microsoft ATR
Date: 1/17/02 4:13pm
Subject: Microsoft and the OpenGL patents

Any question whether Microsoft now finally plans to play well with others? They just purchased from SGI the patents to OpenGL. Make that ClosedGL.

Can you explain why Microsoft would want to own, as opposed to license, those patents? If you can't, then you haven't been paying attention for the last 10 years.

Perhaps it's to leverage their competitors out of the graphics industry by obstructing OpenGL progress and thereby advancing the cause of their own closed-solution, incompatible Direct3D? OpenGL is already struggling to stay current in the face of D3D's standards-excluding march across the application developer landscape. If Microsoft is successful in bringing on the collapse of OpenGL, I'd find it very difficult to imagine that Apple or Linux could survive (unless they licensed D3D). The lack of a D3D engine for the PlayStation or Nintendo's Game Cube means that ultimately these companies would follow Apple's & Linux's demise or they would be forced to license D3D from Microsoft. All of those alternatives are very bleak pictures. As a Microsoft developer for 15+ years, I'm quite sure that's precisely what Bill has in mind.

Please, someone, make this nightmare end!
Dan Herman
DigitalFish Films
<http://www.digitalfish.com>

MTC-00013533

From: WPLakoff@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 4:14pm
Subject: Microsoft Settlement
January 17, 2002

Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I don't feel that Microsoft was treated fairly at all in this matter. The government seems to be persecuting this company for being too good at what they do and making a product that many people like. The government should support American companies like Microsoft that do well and make a hearty contribution to our economy.

This settlement is not only good for getting Microsoft back in business but it will have a direct impact on the consumer as well. By

increasing access to Microsoft's code, more programs with greater Windows compatibility can be designed and they can work better together. Both of these factors are a big draw to many people and I know that people especially those who daily depend on Microsoft products, will be pleased with it.

Please let's all get on to more important matters and leave this mess behind. The settlement will help us do that and will bring an end to this case.

Sincerely,
Patricia Lakoff
639 Bridgeway Lane
Naples, Florida 34108

MTC-00013535

From: Fishman0602@cs.com@inetgw
To: Microsoft ATR
Date: 1/17/02 4:18pm
Subject: Microsoft settlement

It is my opinion that Microsoft should not have been taken to court in the first place. Anti Monopoly legislation should be intended for cases where price gouging occurs. I don't believe that any harm was done to the public through their actions.

Gary Doering
Concerned citizen

MTC-00013536

From: John J. D'Alessandro
To: Microsoft ATR
Date: 1/17/02 4:24pm
Subject: microsoft settlement

I am trained as a physicist, but have quite a bit of technical expertise in computer use and work both as a High School physics teacher and as a consultant on both Windows platforms and Macintosh platforms.

Microsoft products are on nearly 100% of hard drives, particularly if one includes applications along with the Operating System (OS) involved in this case. Microsoft is clearly a monopoly. Microsoft's dominance has grown in the last 3 years, despite the fact that Apple Computer has been one of the few profitable computer manufacturers, and that Apple has a proprietary (non-Microsoft) OS. Also, there has been the growth of a free version of Unix (a competing OS), called Linux. While Linux has gotten quite a bit of press, it has not been able to grow due to lack of commercial software packages (like Microsoft Office). Microsoft Windows (in various versions) has crept from about 90% to about 96% of the market in the last 10 years according to the IDC corporation which logs these things. This means they have grown stronger in dominance.

Microsoft has cash reserves in the tens of billions of dollars. It has monthly PROFITS in the tens of hundreds of millions of dollars. Microsoft is an extremely cash-rich, low production cost company. It can afford a lot of punishment before the punishment really stings. There recent proposals have been insulting in that they have want to "give" a small amount of cost worth of goods, rating at suggested retail value, and services to schools. This would allow them to defacto infuse themselves into one of only a few market segments in which Microsoft does not dominate, while allowing a great Public Relations campaign, and all at very little real cost to the company. That was, in my opinion, showing contempt to the courts.

Microsoft should be required to pay billions of dollars in fines. They should not be allowed to continue practices like adopting industry standards, and then changing them. A recent example, try to use Apple Computer's Quicktime plugin with the Internet Explorer XP on Windows XP. You can't, because microsoft insists their architecture is "better." They have, in fact, disabled the internet software plug-in architecture that has been around for over a decade and was introduced in Mosaic and then Netscape Navigator, I believe. It is an industry standard. All other versions of Internet Explorer use it. Now Microsoft wants to drop it. They are mean and nasty in business dealings, and they need to be regarded as such. They are not "evil," but will use anything to their advantage. Please do not let their final "punishment" end up being a reward.

MTC-00013537

From: Keith Dick
To: Microsoft ATR
Date: 1/17/02 4:27pm
Subject: Microsoft Settlement

They should not be allowed to do this. It would give them an "unfair advantage" in the educational market for which, Apple Computer has worked very hard to acquire and Microsoft did not. Microsoft should not *Get Their Cake and be able to Eat It Too !*.

Keith Dick
Executive Presentations, Inc.
3345 Wilshire Blvd. #1234
Los Angeles, CA 90010
(213) 480-1644 (ph.)
(213) 480-1838 (fax)
www.executivepresentations.com

MTC-00013538

From: Virginia Hulbert
To: Microsoft ATR
Date: 1/17/02 4:32pm
Subject: microsoft settlement

Dear Sirs,

Please settle the microsoft case as soon as possible. It has dragged on long enough. The consumers have waited and suffered more than necessary.

Sincerely,
Virginia Hulbert and William Hulbert

MTC-00013539

From: Steven Grenell
To: Microsoft ATR
Date: 1/17/02 4:35pm
Subject: Microsoft Settlement

The proposed Microsoft settlement would allow them to expand their business while enjoying a tax break for donating software to schools, definitely NOT the remedy envisioned for the shifty practices for which they were originally prosecuted. A remedy should be fashioned by a judge, not by Microsoft.

Steven L. Grenell, M.D.
Neurology Consultant
Montefiore Pain Service
Clinical Assistant Professor of Neurology
Albert Einstein College of Medicine

MTC-00013540

From: Jesse Garson
To: Microsoft ATR
Date: 1/17/02 4:37pm

Subject: Microsoft Settlement

I strongly feel that the proposed settlement does not go nearly far enough in correcting a decade of monopoly abuse by Microsoft. Even as we speak Microsoft is leveraging its illegal monopoly on desktop computers to enter the set-top, video game, and DVD player markets. Microsoft's long standing disregard for both our legal system and their own customers is legendary among information technology professionals. Please do NOT proceed with this settlement, which appears to be little more than a slap on the wrist of Microsoft.

—Jesse W. Garson

MTC-00013541

From: GORDYmac 2K
To: Microsoft ATR
Date: 1/17/02 4:46pm
Subject: Microsoft Settlement

Microsoft should not be able to expand their market share as a result of any settlement.

Rather, the courts should force microsoft to adopt standards in HTML (based on the W3C), XML, OpenGL, and other open standards—and not allow them to modify these standards in their own software. Microsoft cripples their competition by "adopting" standards like HTML, and then using their monopoly power to force the industry to change the standards. They have done this with HTML and XML already.

Now that they have purchased some of SGI's intellectual property, it's only a matter of time before they try to force OpenGL out of the 3D graphics arena. Furthermore, they should be forced to pay damages to every company mentioned in Judge Jackson's opinion. They have seriously hurt these companies, and they should pay damages. Furthermore, this would reduce the court's workload, because if you awarded damages here, then companies could not do it in the future.

Finally, Microsoft should not be allowed to continue charging extremely high prices for their software. Please stop them. Thanks for hearing my opinions.

MTC-00013542

From: Kris Brinkerhoff
To: Microsoft ATR
Date: 1/17/02 4:45pm
Subject: Microsoft Comments

To whom it may concern:

I believe that Microsoft needs to be punished just like any other company found guilty of practicing a monopoly. The industry usually has to conform to what they say they are going to support or not support in their operating system. To have your hardware item listed as being "made for Windows" gives you an edge over the competition. As for their trying to appease the government by providing PCs to lower income students and schools, they should actually provide Macintosh computers or cash otherwise they are again undercutting competition and widening their customer base and dependence/influence upon them once again.

Also if they have a piece of software on CD they can just duplicate the software on the CD. It is pretty much like being able to print their own money. They can copy as many as

they want and call it 500 million in software because they are selling the license to use the software. The damages should be paid in monetary figures not in software which can be produced once and published an infinite number of times.

Thank you for your time.

Kris

Kris Brinkerhoff

—ITS Help Desk Analyst

—California State University, Fresno

MTC-00013543

From: Bill Godfrey

To: Microsoft ATR

Date: 1/17/02 4:50pm

Subject: microsoft settlement

I have reviewed the documents relating to this case and I strongly urge the proposed settlement be adopted in its entirety. While the complainants may have had some justification for their actions I think the time and cost of resolving this thing has gone on far too long and the cost to taxpayers has been a travesty. Moreover, this settlement will provide the protection to the consumers the complainants were seeking. I was glad I was asked to comment.

MTC-00013544

From: John Vresilovic

To: Microsoft ATR

Date: 1/17/02 4:52pm

Subject: Microsoft Settlement

To whom it may concern:

Please don't let Microsoft off the. It has been established that the company is an illegal monopoly that has abused its position in the market. It has been documented that Microsoft failed to comply with an earlier consent decree designed to end its unfair business practices. If Microsoft gets the proverbial slap on the wrist, the software industry and consumers will suffer. A settlement that fails to sufficiently punish Microsoft for its abuses of monopoly power is bad for business and bad for America.

—A concerned citizen—

MTC-00013545

From: Verna Heimbinder

To: Microsoft ATR

Date: 1/17/02 4:53pm

Subject: microsoft settlement

January 17, 2002

Larry Heimbinder

81 Squirrel Trail

Hendersonville, NC 28791

Attorney General John Ashcroft

US Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530-0001

Dear Mr. Ashcroft:

I am writing today to express my opinion in regard to the Microsoft Settlement issue. I am a supporter of Microsoft and feel that this litigation has gone on long enough. This three year case has been costly, and I believe it is time to focus on more pressing issues. The settlement that was reached in November is a complete agreement. Under it, Microsoft has agreed to share more information with other companies and to follow pro-competitive procedures, which will make it easier for other companies to compete. Microsoft has agreed to design future versions of Windows beginning with

an interim release of Windows XP, to provide a mechanism to make it easy for computer makers, consumers and software developers to promote non-microsoft software within Windows. Microsoft has also agreed to make available to its competitors, on reasonable and non-discriminatory terms, any protocol implemented in Windows' operating system products that are used to interoperate natively with any Microsoft server operating system.

This settlement is thorough. Please support this settlement so that this dispute can finally be resolved.

Thank you for your support.

Sincerely

Larry Heimbinder

MTC-00013546

From: Dan Albert

To: Microsoft ATR

Date: 1/17/02 5:04pm

Subject: MS Settlement Not Good Enough

Three cheers for not going along with the DoJ. Their fox-in-the-henhouse solution is too obviously bad to bother criticizing. Split up the company or at least make them pay us for having to use their products.

Dan Albert

56 Portside Circle

East Falmouth, 02536

Dan Albert

800-552-3633 x1962

dalbert@sea.edu

MTC-00013547

From: Greg J Piper

To: Microsoft ATR

Date: 1/17/02 5:00pm

Subject: Microsoft Settlement

I could go on for a week spewing out reasons why Microsoft needs to be stopped at all costs from it's ambition to control all of the world's information, but suffice it to say there are no words to describe how often and how much Microsoft has hurt and will hurt us all. Most of the computer using world cannot see the war of coding they are waging in the underpinnings of their operating system. They are able to keep this war completely concealed from 99.9% of the population due to people's ignorance about the subject. If Ford wanted to make a truck engine that got worse gas mileage than it was capable of on purpose, just to damage the US economy, slowly, over a 20 year period, do you honestly think anyone would find out? What if they were the sole makers of 99% of the vehicles in existence? Such is what Microsoft can and does do to YOU. Even if a small population KNOW that ANY other computer platform is better than Microsoft Windows, just try convincing a 99.9% majority of that! Impossible. Impossible to compete against their monopoly.

? Greg J Piper

? Piper Computer Services

? Email: gregpiper@macpicks.com

? MacPiCkS: <http://macpicks.com>

? EduLinks: <http://edulinks.macpcs.com>

? SearchLinks: <http://searchlinks.macpcs.com>

? Macintography: <http://www.macintography.com>

? PCS Home: <http://www.pipercomputerservices.com>

MTC-00013548

From: Eric Godfrey

To: Microsoft ATR

Date: 1/17/02 4:59pm

Subject: Microsoft Settlement

Public Comment:

I must say I am astonished that anyone would call this a "settlement". It appears to be a billion dollar gift to Microsoft. They DID lose their case, right? The "settlement" gives them a way to dump old equipment, and a guaranteed entry into a key market dominated by a competitor (public schools). If I came in as a CEO with such a business "solution", I'd be praised and get a big salary increase. To be given this by the federal government as a penalty for "losing" a case? WOW!

As you can see, I think this so-called settlement is absolutely absurd, and I convey my opposition in the strongest possible terms.

Sincerely,

Eric P. Godfrey

P. O. Box 75, W14411 Prairie Road

Ripon, Wisconsin 54971-0075

MTC-00013549

From: Jim Robinson

To: Microsoft ATR

Date: 1/17/02 5:02pm

Subject: Microsoft comments

Though most of the information I may have gathered about the Microsoft settlement may be somewhat inaccurate, I do believe that Microsoft deserves to be punished.

For what it's worth, I am an Apple Macintosh user and college student. I am writing this in support for Microsoft to show a bit more "software fairness" for not only Macintosh platforms, but many others as well.

From what I have recently understood, Microsoft is trying to show its compassionate side by giving up to \$1 billion to needy schools in hopes to alleviate itself from these concurrent lawsuits. And though this may be a good for schools, Microsoft only intends to give away its very own products and refurbished PCs serving its operating system, while forgetting about support for any other platform. This, in turn, could cause problems for school districts who may rely on the sole usage of say, Apple products.

In my honest opinion, I believe such things as Microsoft is doing (or has done) are wrong and perfectly define the word "monopoly." Such things are the epitome of the word.

It is my hope that Microsoft be brought to justice and that in doing so would realign equal opportunity and give consumers the "right to choose" benefits that should be practiced diligently within our technological industry, not oppressed by Microsoft.

Sincerely,

Jim Robinson

MTC-00013550

From: Lise Holliker

To: Microsoft ATR

Date: 1/17/02 5:03pm

Subject: Microsoft Settlement

I am baffled at an arrangement where Microsoft actually gains ground in the educational computer industry (where a smaller competitor has a healthy share of the

market) as a settlement for misconduct and unfair business practices. Any provision of equipment or software donation (in educational or other environments) in lieu of actual cash actually promotes the further purchase and use of Windows and Windows-compatible PCs. I cannot imagine that Microsoft would provide schools with anything other than their own product—even for schools who would, if given a choice, select another product.

I agree with the position of Apple Computer, Inc. in their objection to this proposed settlement and request that the Justice Department demand a more equitable solution—one that does not pave the way for increased future sales via “donations” from Microsoft. Do not reward this company with future profits disguised as restitution for past wrongs.

Thank you.

Lise M. Holliker
1623 Howard Chapel Court
Crofton, MD 21114
holliker@bellatlantic.net

MTC-00013551

From: Rick Russell
To: Microsoft ATR
Date: 1/17/02 5:06pm
Subject: Microsoft Settlement

Hi. A quick comment about the Microsoft/DOJ Settlement.

I'm concerned about the following section of the settlement: A. Microsoft shall not retaliate against an OEM by altering Microsoft's commercial relations with that OEM, or by withholding newly introduced forms of non-monetary Consideration (including but not limited to new versions of existing forms of non-monetary Consideration) from that OEM, because it is known to Microsoft that the OEM is or is contemplating: . . . (2) shipping a Personal Computer that (a) includes both a Windows Operating System Product and a non-Microsoft Operating System, or (b) will boot with more than one Operating System; or

If I read this section correctly (and I readily admit that I am no lawyer), Microsoft is prohibited from putting commercial pressure (“retaliate”, “altering commercial relations”, etc.) on companies that choose to ship a non-Microsoft operating system and a Microsoft operating system on the same personal computer.

Let's say I sell 5000 computers with Windows, and 1000 with Linux. Another company sells 4000 with Windows, and 1000 with Windows and Linux. Both companies purchased the same number of Windows licenses, but the first company is not protected by the prohibition because they didn't install Linux and Windows on the same computers. The second company is protected, because all of their non-Microsoft offerings include the corresponding Windows product on the same computers. And what about computers that can't run Windows? Apple, for example, is a consumer of Microsoft's Office for Macintosh product (in fact, they sell it with new Macintoshes). But you can't run Windows on an Apple Macintosh, you can ONLY run the Macintosh operating system. By definition, Apple cannot comply with this clause of the

prohibition to protect itself from commercial retaliation. Can Microsoft therefore retaliate against Apple (e.g., by charging more money for copies of Office that Apple resells to customers), in an attempt to undermine Apple's business and force its customer to move to Windows PCs?

I will grant that this prohibition does not explicitly permit Microsoft to “retaliate” against companies that choose to ship non-Microsoft operating systems without Windows. But I don't understand why Microsoft gets special treatment in this regard. Surely the prohibition should be broadened to the general case: that Microsoft cannot retaliate against a customer simply because that customer chooses to do also purchase products from a competitor. Any computers that a company sells without a Microsoft operating system are not Microsoft's concern.

Rick Russell
4321 Goldfinch St.
Houston, TX 77035
(713) 721-5096
rickr@compassnet.com

MTC-00013552

From: Kevin O'Hehir
To: Microsoft ATR
Date: 1/17/02 5:12pm
Subject: microsoft anti trust case.

I recently purchased a computer from Dell and returned it. Here is a copy of the letter I mail to Mr. Dell I also find it quite interesting that Microsoft has been called a monopoly and is allowed to extract monopoly profits. Take a look at the cash and marketable securities it holds. Then try to find another monopoly that is as rich as they are. Microsoft came out with a new operating system XP and doubled the price for the upgrade and for a new system. It is confusing to me how PC manufacturers continue to drop prices, but the monopoly has raised them.

Thanks in advance for taking time to read my email. In closing, Microsoft has done positive things for consumers and the computer industry as a whole by setting standards, but in doing so, they have extracted monopoly profits from consumers and businesses. Look at it from a business perspective no debt and a lot of cash.

January 10, 2002

Dear Mr. Dell:

Regarding RMA 23497302

Recently, I purchased a Dell Dimension 4300S computer. I received the free memory upgrade to 256K and I upgraded the video card and harddrive. Although I already have 4 computers, I was very excited to receive this one because I heard that Microsoft XP was a very stable operating environment and I was having problems with Disney Magic Artist (Classic) crashing on windows 98.

I received the computer; set it up; and installed Disney Magic Artist and tried to run it. Magic Artist would not load and computer told me I could send a report over the internet to Microsoft and Microsoft would look into the problem. I tried this but this did not work either. I am assuming this did not work because I did not set up internet access set up on this machine.

Then I search XP help for compatibility issues and found that I could flip a switch

to get the program to run in Windows 95 mode. After flipping the switch and rebooting, the program still did not run. I was slightly frustrated at this point. So I decided I would poke around and see if pinball was on the computer. I found that it was and I started the game. Immediately, I noticed that the ball spit in two when it was halfway down the pinball table. I had played this pinball game at least 3 years ago on a windows NT machine which was not designed to play games and there were never any graphics problems with that game. At this point, I decided that I had my fill of the new computer and new operating system.

Regrettably, I decided to package the computer up and send it back to Dell. I would have kept the computer if I would not have immediately experienced the apparent design defects.

In closing, I would like to add that it is very unfortunate that Microsoft continues to use consumers as testers of their programs. Dell has lost a sale because of poor operating system design by Microsoft (and possibly undersizing the video engine by Dell). I hope that in the future your sales are not impacted because Microsoft or any other software vendor has not done sufficient testing to find the bugs in their programs. It appears that when a product is released too early some companies rely on free testers (the public) to uncover the bugs. If a consumer purchased a car and the steering, headlights, turn signals or any other item had intermittent problems a recall would be done on a fix provided. When a computer is purchased, the consumer gets the opportunity to talk with a technician over the phone and fix the problem themselves. I do not have time to spend with a technician on the phone fixing a brand new computer and neither do a million other consumers.

Thanks in advance for reading my comments.

Sincerely,

Kevin O'Hehir

MTC-00013553

From: mycoman
To: Microsoft ATR
Date: 1/17/02 5:14pm
Subject: Microsoft Settlement

Dear Sirs:

As both an educator and computer professional, it is my informed opinion that the U.S.D.O.J. should NOT accept Microsoft's proposed settlement. As has already been shown, this will only increase their monopoly, by allowing them to corner a market niche which may be the only competitive one left. Thank you for the opportunity to contribute my opinion.

Sincerely,

David Moss
mycoman@hvc.rr.com
6 Park Avenue
Red Hook, NY 12571

MTC-00013554

From: Tim Rittgers
To: Microsoft ATR
Date: 1/17/02 5:20pm
Subject: Microsoft Settlement

Dear sir or madam:

If Microsoft wishes to settle this case, please do not allow them to use what may

look like generosity to capture a new market share. Microsoft has proposed to offer millions of dollars of support to the education market, which I fully support. However, this cannot come in the form of free Microsoft software which would cost Microsoft next to nothing to provide while at the same time extending their monopoly into the schools. If this settlement is considered by the DOJ, please ensure that Microsoft pays in cash, not assets, with no strings attached, so that the schools are free to choose the software that they need in each individual situation. Please take these issues into consideration, and thank you for your time.

Tim Rittgers
30757 120th St.
Cedar Falls, IA 50613

MTC-00013555

From: Jesse
To: Microsoft ATR
Date: 1/17/02 2:41pm
Subject: Microsoft Settlement

To the United States Department of Justice, I'm a self-employed computer consultant working in eastern Washington. As a small business owner/operator, I don't have much time to spend on superfluous activities like composing long editorial diatribes. After all, I have to be the janitor, accountant, tax lawyer, bread winner, well. . . you get the picture.

In any case, I felt compelled to add my voice to this issue of the "Microsoft Settlement." I've been in the the computer and information technology industry for 18 years. In those 18 years, I have personally seen how the Microsoft monopoly has developed, from its embryonic beginnings in the early '80s, to its stranglehold in present time.

I am a true believer of capitalism, and hold dearly to the idea that you get what you work for. But when a company controls all but 5 percent of the world's computer systems, something needs to be done. This is not speculation or exaggeration, it is a fact. When a customer, or supplier, can order any computer system they wish from a top-tier PC manufacturer, as long as it comes with a Microsoft Operating System, it's gone too far. Allowing Microsoft to continue on its way will only hasten the development of the Microsoft refrigerator, Microsoft Motor Company, Microsoft Burger King, and Microsoft Grocery Store line.

The computer and information technology industry needs true competition in the operating system and productivity software markets. Please add my voice to those that hope for a settlement that would at minimum, break Microsoft into two parts, operating systems, and productivity applications. Anything less than a breakup, will do nothing to stop the monopoly. Even then, the two Microsofts would own their respective markets, but at least it would hopefully put an end to the unholy alliance between the two, and allow some semblance of competition.

Best Regards,
Jesse Mireles Yakima, WA

MTC-00013556

From: Richard Meckley

To: Microsoft ATR
Date: 1/17/02 5:31pm
Subject: microsoft settlement
please see attached
301 Shores way Boone,
North Carolina 28607
January 16, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I have heard about the proposed settlement between Microsoft and the federal government. It seems like a reasonable solution to me, and I urge you to support it.

Microsoft is giving up a lot here; even agreeing to give easier access to programs from competing companies, and changing how it handles prices it charges to computer makers. Microsoft will, for example, give coding to its competitors, which will allow them to place their own products on a Windows-based system. Also, Microsoft will agree not to retaliate against companies that use or promote non-Microsoft software. Clearly, this settlement doesn't let Microsoft off easily. It's time to get this lawsuit behind us. The settlement offers the best opportunity to get past this lawsuit and get the nation focused on business again. As such, I support it.

Sincerely,
Richard Meckley

MTC-00013557

From: Russell C. Hess
To: Microsoft ATR
Date: 1/17/02 5:23pm
Subject: Microsoft Settlement

I would like to voice my opposition to the proposed settlement with Microsoft. Allowing them to pay their fines in their own products only enables them to further restrict the market the operate in. It is unfair to but our public schools in the position of having to choose what they may consider to be an inferior product because they are free. Perhaps making Microsoft pay their fines in cash and establish an endowment that would make grants annually to schools in need to buy whatever technology products they desire would be a better solution. I believe to allow Microsoft to get away with a plea bargain that essentially strengthens their monopoly is foolish.

The Justice Department should make an example of them. Breaking the law is breaking the law.

Russell C. Hess
610 2nd Ave. NW
Plainview, MN 55964
507-534-4448

MTC-00013558

From: David-James Fernandes
To: Microsoft ATR
Date: 1/17/02 5:28pm
Subject: Microsoft Settlement
Hello,

Although I am not a United States citizen, I am a Canadian who is very concerned about the lenient settlement the US DOJ has come up with in the Microsoft Anti-Trust case.

While I've followed this case with much interest in the past, I was provoked to register

my opinion with you today after learning that Microsoft had procured 'intellectual property rights' for assets from Silicon Graphics Incorporated last year.

It GREATLY concerns me because SGI currently owns the licensing rights to OpenGL—a set of 3D graphics APIs that much of the 3D industry is built upon. Though the deal was made by completely legal measures (a backroom deal between SGI and Microsoft), the implications of Microsoft owning OpenGL are tremendous.

Microsoft currently develops (and forces down many a manufacturer's throat) their own 3D APIs called 'Direct X'. OpenGL is a direct competitor and is free for developers to implement. Its foundation is also a type of open source project, as the name would imply. Apple's Mac OS X operating system uses OpenGL as a core technology as do hundreds of pieces of software from scientific applications to 3D video games.

Should Microsoft terminate OpenGL, it would destroy many companies that make software with OpenGL exclusively. It would automatically make Microsoft a leader in 3D software where it had very little presence in the past. It would also severely limit the options for developers and force them eventually to license Direct X from Microsoft—a closed API.

I sincerely urge you to reconsider your soft settlement and side with the 9 opposing states who are calling for far more appropriate action like the break-up of the company into smaller pieces and the unbundling of "middleware" products from the operating system. I also urge you to remove clauses and language that give Microsoft the ability to decide for itself what 'middleware' is and what is a monopolistic takeover and what is not.

Microsoft's size and budget as well as their buy and destroy attitude have already severely altered the software landscape for the worse. Please show them the United States won't tolerate such blatantly anti-competitive behavior from ANY company. Your decision here affects far more than just US citizens.

Thank-you,
David-James Fernandes
Graphic Designer,
Communications Branch,
Canadian Union of Public Employees
21 Florence St.
Ottawa, ON, K2P 0W6
613-237-1590 x.322
Fax: 613-569-0152
<http://www.cupe.ca/>

MTC-00013559

From: Diane Cunningham
To: Microsoft ATR
Date: 1/17/02 5:32pm
Subject: This case must be settled

The Microsoft case has dragged on for far too long. The reason for the protracted prosecution of Microsoft is that other companies and individuals who have found it difficult or who have failed to compete successfully in a highly competitive marketplace insist on depicting their failures as the result for egregious acts by Microsoft. The Justice Department should consider the source of some of these complaints before

punishing those who succeed in the free enterprise system. The Justice Department should consider the message that it is sending to the American public, the business community and to our youth when they consider the punishment that will be issued against Microsoft. The message should be exclusively about monopoly. It should not be about issuing rewards to those who not only were not damaged by Microsoft but who would not exist if it were not for Microsoft. It should be about assuaging the ailing egos of those who could not keep the pace and it should not be about delivering revenue into the hands of those who have not earned it, have not been damaged and who do not deserve to receive such benefits.

Microsoft—whether the Dept. of Justice likes it or not—has done more to initiate and carry on the technology revolution than has any other company or sector of this country. Let us be done with this witch hunt and proceed with that revolution. The Justice Department has issued strict guidelines for the future business transactions of Microsoft. That combined with the anticipated penalties should be sufficient. The Justice Department should put an end to this trial; stop supporting an untold number of attorneys—the only true benefactors of all of this; and tell the nine states to go home and balance their budgets without the aid of Microsoft.

The greatest benefactors of Microsoft and its work have been the American people. Microsoft has opened a new world, created innumerable new jobs and enhanced the lives of the American public. The Department of Justice is supposed to act for the benefit of the American public in cases such as this. Not on behalf of a select group of wealthy private interest groups. Perhaps it is time for the Department of Justice to remember their marching orders. If the American people were truly polled, this would have been over long ago.

MTC-00013560

From: Erik Snyder
To: Microsoft ATR
Date: 1/17/02 5:41pm
Subject: Microsoft Settlement

I would just like to point out that if the DOJ backs off on this issue that the future of the US is in the hands of Microsoft. You can say goodbye to any personal freedoms and privacy in the future. This company, has thumbed its nose in the face of the DOJ and President Bush appears to be in complete support of the illegal actions and behaviour of this corporation. Their intention is to have a piece of their hardware and/or software in every home and once that is done, they intend to fleece the country. Microsoft must be required to pay a fine that is substantial to them, it must be in cash and it should go to the people that have had to suffer with their inadequate software. Then the company should be split into at least four separate companies. The software division for operating systems, the software division for web browsers, the UltimateTV division and now, the Xbox division. This illegal practice of tying the software together and making competitors software run worse in their operating system cannot be allowed to continue. The problem is that Microsoft has

already released a successor to the software that they are currently on trial for, so the decision must have a far reaching grasp to stop them from doing what they've already done again with the release of Windows XP.

Thank you,
Erik N Snyder

MTC-00013561

From: Rosner, Eric
To: 'Microsoft.atr(a)usdoj.gov'
Date: 1/17/02 5:34pm
Subject: Hello

Hello, first, I think it is great that the Gov. is requesting people's feedback. . . .)

I just wanted to say that MS makes fine products but by not having a choice of operating systems or browser applications, I feel that they are infringing on my rights to choose from the different OS systems. . . . I say break 'em up into tiny companies. . . .no company should have too much power. . . .cause as we all know power corrupts. . . . thanks for reading my comments. . .

Eric Rosner
Director of Animation
Tvland/Nick at Nite

MTC-00013562

From: Allan Nadler, Jr
To: Microsoft ATR
Date: 1/17/02 5:38pm
Subject: Microsoft Settlement
57420 Hynes Drive
Plaquemine, Louisiana 70764
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

The Tunney Act mandates that after a settlement to an antitrust suit, in which the Department of Justice is involved, there must be a 60-day period of public comment and review before a decision is made final. I am submitting this letter to make you aware that I am in favor of the proposed settlement between Microsoft and the Department of Justice.

I am a believer of the free market system in which the government takes a hands-off approach. I did not see anything like this over the past three years. The government claimed to be helping people when they brought Microsoft to court, but were they really? During the time from the announcement of the antitrust suit till now, thousands have lost their jobs, companies have been closing at alarming rates, and our economy has sunk into a recession. This has to stop, and that is why I support the settlement. I agree with the part of the settlement that prevents Microsoft from retaliating against computer makers who ship software that competes with Microsoft's. This will open-up the industry and encourage competition.

I appreciate this outlet so my opinion can be heard. I fully support the proposed settlement between Microsoft and the Department of Justice.

Sincerely,
Allan Nadler, Jr.

MTC-00013563

From: Mike Evans
To: Microsoft ATR
Date: 1/17/02 5:42pm
Subject: Re: U.S. v. Microsoft: Settlement Information

This is one of the largest companies in the world, with the richest man in the world as the leader. They can afford to pay for their crimes. Come on, we're (the people of the US) counting on you to serve justice on the monopoly that Microsoft is. Don't let this arrogant monopoly get away with out a lesson. You and I both know that they will not change their ways if you don't really sock it to 'em. :)

Thanks,
Mike Evans

MTC-00013564

From: Abbott, Christopher
To: 'Microsoft.atr(a)usdoj.gov'
Date: 1/17/02 5:39pm
Subject: Microsoft settlement public comment

To whom it may concern:

I feel the proposed settlement with Microsoft falls short in several areas. I also do not feel that this proposal, though it be expeditious and favored by approximately half the plaintiffs, to represent the desires of the American public. I believe this for several reasons.

1—Microsoft has been found to be a persistent monopolist by the prior Court(s) in this case. Through Microsoft's written communications, court depositions, and by their very actions they have shown this to be true. Indeed, we have seen one of the other pending legal actions against them have a settlement brought forth, just like this case. However, it was turned down by the presiding Court due to it being seemingly skewed towards aiding their monopoly. What kind of a company, under trial for antitrust activities, puts forth a settlement, in any legal proceeding, that aids its monopolistic behavior? From all this evidence the public has seen and heard, how can we believe that the company is negotiating in anything close to good faith? I would almost have to put forth that any agreement Microsoft agrees to is not one worth accepting.

2—This judgment, while achieving several things that will hinder Microsoft in certain areas, does no where near encompass the future of the company. Many industry analysts and pundits have stated that Microsoft is "betting it's future" on .Net and web services. Why then does the settlement deal with mostly OS-based issues, which are perhaps Microsoft's past and partial present but in no way it's future? This kind of a monopolist is different from others prosecuted in the country's past. There is no way Standard Oil would ever do else but produce oil, up and down the supply chain. That can not be said of Microsoft. When they began, they were a software company. Then they became an operating system software company. Then they branched into multimedia services. Now they are pushing towards web-based services. While the OS is the cash cow that feeds their monopolistic activities now, it will not be in the future, other things will be. The rendering of this

court will mean nothing if it does not take that into account. And Microsoft knows this and is expecting this to be the case.

3—I believe in the guiding principles of capitalism. Indeed, I have several friends who work for Microsoft and I wish them no ill will. To me, it would seem that the problem with Microsoft is not the programmers or the people who work for it. No, the problem seems to be the people who run Microsoft. From their predatory activities to garner a monopoly on the desktop, to their railroading OEM's to utilize their software alone, to their most recent leveraging of their monopoly by restructuring their licensing agreements to attempt to force businesses to increase the speed of their upgrade cycle; Microsoft has consistently shown that the people who are guiding them are ruthless profit-mongers with no morals, who do not have the best interests of their users or the American public at heart. Why then, is there not any provision in the settlement to deal with the actual cause of the problem? There should at least be a provision in the agreement for the future punishment of Microsoft executives, should they be found to continue their monopolistic practices, albeit beyond the scope of this agreement. I personally feel there should also be an agreement for the punishment of current executives for their actions, but I have little hope that shall occur.

In the end, Microsoft is a monopolist, period. End of story. While I am not suggesting that the example of Standard Oil should guide the Court's decision, I do say Microsoft should come away from these proceedings with little more than a slap on the wrist. Otherwise, I may as well begin ignoring everything I hear about Linux, Apple, IBM, Sun and the rest, for it won't be too long before they are nothing but "monopoly shelters" for Microsoft to hide behind. Microsoft will garner as much of the market as it feels it can take before the government steps in and then will rest on its laurels, growing fat (as it is now with it's \$36+ billion in accrued unused cash), stagnating the industry and the information technology revolution as a whole in the United States.

Please, I ask the Court to do the right thing. Reject this settlement and force the parties to go back to the table at least. Perhaps even push them to follow in a similar fashion to the dissenting states. They have the right idea for limiting this monopolist and it's unscrupulous executives from continuing to perpetrate their illegal activities on the American public. Thank you.

Sincerely,
Chris Abbott
MSG—Information Protection
christopher.abbott@anheuser-busch.com
Phone: (314) 577-7213

MTC-00013565

From: James Justin Ferguson
To: Microsoft ATR
Date: 1/17/02 5:44pm
Subject: Microsoft Settlement

Microsoft's proposed settlement for the antitrust case is outrageous. They are, with their proposal, thumbing their noses at the Justice Department. Their proposal has

practically no disciplinary value and would unfairly increase their market share in an already competitive area (the education market). This action would also seriously cripple Apple Computer, a cooperative company that has driven the computer industry to continue to innovate. In my opinion, the Justice Department should discard their proposal outright.

A hefty monetary fine on Microsoft would not be an adequate punishment. Microsoft could just raise prices momentarily to cover their losses and still continue to do business as usual, making their monopoly stronger. What I would suggest is to, once again, look into breaking up Microsoft. It is a very viable idea and would be easier to ensure that they do not continue to practice business illegally. Microsoft can be divided into three parts very easily: Operating Systems, software, hardware. In my opinion, this is the best method of punishing Microsoft not only because it curtails their strong-arm business tactics, but because it benefits the public with increased choices on the market.

Please remember that Microsoft has been taken through anti-trust suits before and been found to be conducting business in an overly hostile manner. In each case, Microsoft has broken their promises to do better and ignored restrictions placed on them. It is time to deal with this company and put it in its rightful place.

Thank you,
James Justin Ferguson
2712 SW 34th St. #62
Gainesville, FL 32608
(352) 256-4785

MTC-00013566

From: nbullic@gte.net@inetgw
To: Microsoft ATR
Date: 1/17/02 5:45pm
Subject: Microsoft Settlement
2258 Pine Terrace Court
Grand Junction, CO 81503
16 January 2002

Dear Mr. Ashcroft,

I think that this whole case stinks. I can't believe that Microsoft was even charged with this in the first place. Microsoft is being attacked for being successful and should instead be praised for helping out the economy like they do. Microsoft is now going to have to share its source code for Windows, which will essentially give freely to competitors what Microsoft worked hard to develop. Microsoft doesn't need to be punished any more than that.

Also, I hope that you do whatever it takes to get the other states that refuse to join onto the settlement to sign on and do what's in the public's best interest. I appreciate you taking the time to listen to my comments on this issue. I know that many people feel the same way and I hope you take our opinions into account.

Sincerely,
Carole M. Bullick

MTC-00013567

From: Allan Herman
To: Microsoft ATR
Date: 1/20/17 12:46pm
Subject: Microsoft Settlement

This settlement is contrary to every sentencing principle. Primarily, it flies in the

face of both general and specific deterrence. This will deter no one from abusing monopoly power, most obviously not Microsoft. Rather, it encourages disrespect for the law and fair competition because there is no negative consequence to the illegal behaviour. A monopoly that uses its power to crush competition can now look forward to:

—no punitive sanctions IF it is prosecuted,
—having conditions of doubtful effectiveness imposed on it, that MAY hinder some of its future malfeasance.

If this settlement is concluded, it will beg the public to conclude that it was motivated by politics rather than principle—that this administration looks the other way when its friends do wrong.

Thank you for your consideration.

MTC-00013568

From: Claire Celsi
To: Microsoft

ATR.tormist@ag.state.ia.us@inetgw
Date: 1/17/02 5:46pm

Subject: Tom Miller of Iowa

Please read the attached document regarding Tom Miller, Iowa's fearless Attorney General, and how he stands up to Microsoft.

Claire Celsi
Des Moines, Iowa
CC: Ben Hildebrandt
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street, NW
Suite 1200
Washington, DC 20530-0001
Re: Tom Miller, Attorney General of the State of Iowa, My hero.

Dear Ms. Hesse:

As you know, at least ten consumer groups disagree with your agreement to settle the United States Department of Justice antitrust lawsuit against Microsoft Corporation. Microsoft has little incentive to change any of its practices. Their concessions of handing over some operating systems code and offering manufacturers some sovereignty over Media Player amounts to little more than a light slap on the wrists for a multi-billion dollar company. I hope that you will reconsider the decision to settle the United States Department of Justice antitrust lawsuit against Microsoft Corporation. American consumers may have been overcharged \$20 billion by the Microsoft monopoly. Your agreement with Bill Gates' company does nothing to rectify past sins by this company or protect against future gauging.

I am proud that my state's Attorney General, Tom Miller, rejected this Microsoft agreement. I believe that Mr. Miller and the other eight state attorneys general see the many loopholes and problems with enforcement that does little to affect change in the computer software industry. Splitting Microsoft into two or three companies may not be the proper response, but either is this. Microsoft is spreading its dangerous monopoly into everything it touches. I currently have Qwest DSL, which is bad enough, but they are forcing me to take MSN now even though they can't even help me transition my account. They (MSN) are so

inept that for now they have agreed to let me remain on Qwest. Then, they have the GALL to put stuff on their website like "Learn why one million people just switched to MSN. ." Don't you think that is a bit misleading? I could go on and on. Microsoft is like testicular cancer: Slow growing, but it kills you just as dead someday. Your decision to prematurely end litigation against Microsoft is a mistake. The agreement offers no real incentive to stop monopolistic, anti-trust efforts. It won't help much smaller companies compete and it doesn't serve the American consumer. Please continue to go after Microsoft. It is a duty of the Justice Department to protect the average citizen from companies that have grown too large and too powerful by questionable business practices.

I wonder if Arthur Anderson also audits Microsoft? Hmmm.

Sincerely,
Claire Celsi
743 37th St
Des Moines IA 50312
515-277-1118

MTC-00013569

From: Jensen Gelfond
To: Microsoft ATR
Date: 1/17/02 5:46pm
Subject: Microsoft Settlement
Hello:

I'd just like to comment on the Microsoft Settlement. I believe that Microsoft should not get away with giving any sort of software or hardware directly to the schools. This will, as we already know, illegally encroach on Apple's leading position in the education computer market. In addition, even if Microsoft only offered software compatible with Mac and Windows, they would still be neglecting the market for Linux software (which they do not manufacture software for). Even though Linux is not a hugely popular OS, it is becoming increasingly used in schools as training for systems administration. I think the best way to settle this would be for Microsoft to give cold, hard cash to the school and let the schools themselves decide what to buy, instead of being obviously coerced by Microsoft to use their products instead of the competition's. Thank you for listening to me.

Jensen Gelfond
20 Pleasant Grove Rd.
Long Valley, NJ 07853
908-852-0591

MTC-00013570

From: Al Pierce
To: Microsoft ATR
Date: 1/17/02 5:47pm
Subject: Microsoft Settlement

To whom it may concern,

Personally, I believe that the proposed settlement does little or nothing to change Microsofts' business practices. I would recommend that you review their recent purchase of intellectual property from Silicon Graphics Inc. The pertinent point is not the purchase itself, but the leverage it will give Microsoft in forcing hardware vendors to abandon support of an open source graphics standard, OpenGL, in favour of Microsofts' own proprietary graphics

engine, Direct X, or similar. They are simply up to their old tricks, even in the middle of this so called "settlement". Nothing has been settled, except perhaps, the question of whether Microsoft is powerful enough to intimidate even the United States Department of Justice.

I have absolutely no doubt that Microsoft will use any and all means to eliminate any company, technology, or open source solution that they perceive to be an obstacle to their total domination of any market they set their sights on. They have demonstrated this behavior time and time again and will continue to do so until the company is restructured such that it can no longer exert such power over it's competition. Splitting up the company is the only sensible remedy, and the amount of money, certainly in the billions of dollars, that Microsoft has cost American industry due to the shoddy performance and security of their software products might serve as an appropriate starting point when considering punishment for their misconduct.

Al Pierce
Senior Staff Engineer

MTC-00013571

From: Brad Bower
To: Microsoft ATR
Date: 1/17/02 5:50pm
Subject: Microsoft Settlement

News sources confirmed that the strange anomaly in SGI's SECC filing was a result of the sale of all its 3D intellectual property to Microsoft. Please, don't let Microsoft kill the OpenGL standard! They can knock it off whenever they want now, and FORCE developers to use their own, proprietary DirectX and Direct3D which companies have to LICENSE from Microsoft! They are only extending their monopoly to be the ONLY company with an existing 3d standard.

Microsoft is going to continue this kind of behavior . . . it completely negates their competition, and any future competition. They've done it before, there are SO many cases of it it's almost comical. I think I speak for all gamers, non-Windows-enthusiasts, 3d programmers, and designers, when I say that Microsoft needs to be split up into enough companies that smaller companies can again thrive in the technology sector.

Again, please don't let Microsoft skate by with this, Department of Justice. :(
Best Regards,
Brad Bower

MTC-00013572

From: ConnieBoo1@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 5:50pm
Subject: Microsoft Settlement

Where would we be without all the good Microsoft has done for us? Let's get on and beyond this, stop cluttering up our courts. The best thing for our economy would certainly be to get on with business and stop all this monkey business.

Constance S.Wenger

MTC-00013573

From: MARC BELTRAME
To: Microsoft ATR
Date: 1/17/02 5:47pm
Subject: Microsoft Settlement

Please consider the attached letter

Marc Beltrame
Whitfield & Eddy, P.L.C.
317 Sixth Avenue, Suite 1200
Des Moines, Iowa 50309-4195
Ph: 515-246-5531
Cell: 515-229-9134
Fax: 515-246-1474
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Gary Gately Thomas Henderson Mark R.
Gray * Drew J. Gentsch Of Counsel: David L.
Phipps Megan M. Antenucci Jason M. Casini
Stephen D. Marso Harley A. Whitfield
Benjamin B. Ullem Thomas S. Reavely
Roscoe A. Ries, Jr. Theodore C. Simms. II A.
Roger Witke Robert L. Fanter Gary A. Norton
J. Campbell Helton Timothy J. Walker
Bernard L. Spaeth, Jr. Frank M. Grenard
Anjela A. Shutts Mt. Pleasant: Wendy
Carlson William L. Fairbank Mark V. Hanson
Stephen E. Dooehen Philip McCormick George
H. Frampton Robert G. Bridges Maureen
Roach Tobin Sean A. Pelletier Danny L.
Cornell Jaki K. Samuelson August B. Landis
Jon Hoffmann Retired: Kevin M. Reynolds
Richard J. Kirschman Anne L. Willits John C.
Eddy Thomas H. Burke John F. Fatino Marc
T. Beltrame

Direct Line/E-Mail 246-5531
beltrame@whitfieldlaw.com
Refer to our File Number
January 27, 2002
Renata B. Hesse

Antitrust Division
U.S. Department of Justice
601 D Street, NW
Suite 1200
Washington, DC 20530-0001

To Whom It May Concern:

I write to expressly convey my recommendation that you reconsider the recent decision to settle the United States Department of Justice's antitrust lawsuit against the Microsoft Corporation. You may be aware that no fewer than ten (10) consumer groups disagree with the decision to settle this lawsuit because such a move leaves Microsoft with little incentive to change its unlawful practices. I am proud that Iowa's Attorney General, Tom Miller, rejected the settlement agreement. Attorney General Miller and the other state attorneys general are wise to see the many loopholes and enforcement issues this settlement leave open.

Sincerely,
Marc T. Beltrame
cc: Iowa Attorney General
Also with Offices: 110 N. Jefferson, Suite
101, Mt. Pleasant, Iowa 52641-2016 . 319-
385-9522

*202 S.W. Cherry Street, Ankeny, Iowa
50021 . 515-964-3633

MTC-00013574

From: Thale, Jim S
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/17/02 5:51pm

Subject: what settlement?

I am more than a little disappointed with the alleged "settlement" with Microsoft. I see daily how their "Josef Goebbels P.R. method" has effected the people of this country. Most of us are too tired, lazy or ignorant to notice what they have been doing all of these years.

We are trying to save money and keep secure by eliminating all traces of Microsoft from our networks and it's working quite well. I wish that Microsoft would be split into several business units so that there might be some true competition in this country.

Thank you for your efforts nonetheless,
Jim
Jim Thale
WBBM TV Engineering Dept.
630 N. McClurg Ct.
Chicago, IL 60611
(312) 202-3416

MTC-00013575

From: peteandcorky@compuserve.com@inetgw
To: Microsoft ATR
Date: 1/17/02 5:52pm
Subject: Microsoft Settlement

I have a concern that competing interests to Microsoft have called in their respective congressman and are making the settlement a circus. Please base the decision on what is best for the consumer, not for Sun Microsystems and AOL, etc.

Regards,
Peter F. Campbell

MTC-00013576

From: Cody Michel
To: Microsoft ATR
Date: 1/17/02 5:58pm
Subject: <no subject>

Fry the bastards!

The only reason they're as big as they are is from plagiarism. It copies from Apple.

MTC-00013577

From: Kevin L. Gray
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/17/02 5:59pm
Subject: Microsoft Settlement
Dept. of Justice—

I cannot believe that this case has progressed to this point. Why does the US Government attempt to take down one of the most successful corporations in the world when daily the competitive market requires that Microsoft continue to innovate? If Microsoft is required to breakup or even to open up their operating system to others, consumers worldwide will be harmed because the defacto world standard of communications will be harmed. Look at what we are capable of doing today. This message is coming via email. In the early 1990's your only means of conducting email was Compuserve and AOL. Today, you can still send your email via Compuserve or AOL, and you can utilize about 100 different means to send your email as well (including Microsoft's products). Microsoft didn't harm this process (or takeover this process). It facilitated it through a common platform for computers to communicate. That common platform could have been (and is today) Unix just as easily as it was MS-DOS/Windows.

This case needs to be settled, and settled immediately. It is not good for our high-tech economy to have this circus continue any longer. Pressure needs to be brought to the remaining states that have not decided to participate in the settlement. Please do the right thing for our economy, and our competitiveness in this new worldwide economy—SETTLE IT NOW!

Thank you for your attention to my opinion.

Sincerely,
Kevin Gray
Anchorage, Alaska

MTC-00013578

From: Howard C. Chastain
To: Microsoft ATR
Date: 1/17/02 6:05pm
Subject: Microsoft Settlement

I think this so called settlement is a joke. Talk about throwing taxpayer money down a rat hole! You should have broked Microsoft up. . . . Howard

MTC-00013579

From: larry.peterson@autodesk.com@inetgw
To: Microsoft ATR
Date: 1/17/02 6:04pm
Subject: Microsoft Settlement

By its very nature, a "settlement" should address the problems in the original complaint. This settlement does not address the monopolistic practices of Microsoft. The fact that Microsoft has stifled competition has been a given in the software industry for many years. This suit was filed to stop these practices. Many competing (and arguably better) technologies and products, such as Lotus, Netscape, Borland's development products and Java are not addressed. This settlement is yet another insult to those of us who have faith in the US judicial system. Most of the competitive advantages enjoyed by Microsoft are left in place. They may still bundle more features into their operating system that used to be separate and competitive applications. Their application developers still have huge advantages over those with similar products. By allowing these practices to go unpunished, you are ignoring the laws that the courts are in place to protect.

Larry Peterson
Senior Software Developer
Autodesk Corporation

MTC-00013580

From: edward.powell
To: Microsoft ATR
Date: 1/17/02 6:10pm
Subject: Microsoft Settlement
January 17, 2002
Renetta Hesse, Esquire
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I want to write today to urge Judge Kollar-Kotelly to approve the settlement which has been proposed between the Department of Justice plus nine state attorneys general and Microsoft. This action would end the federal antitrust lawsuit against Microsoft and, I am proud to say, the state lawsuit filed in my

home state of North Carolina as well. First of all, as an attorney, a former state legislator and once commissioner of a state agency in North Carolina, I am fully aware of the consequences when government prosecutors seek to take major legal action against a major corporation, especially one the size of Microsoft. Unless the case is very good, which the Microsoft case certainly was not, the proceedings can drag on much longer than necessary, using up unnecessary tax dollars and causing undue turmoil both for the company and the government agency involved.

That is why I believe that when a case of this nature can be settled, it should be. From what I see reading the summary of the settlement, it is clearly the case that both sides have won key concessions. It is clear that Microsoft must provide "guaranteed flexibility" and must not stand in the way of computer manufacturers distributing Microsoft products and other companies' products on the same machine. Microsoft must guarantee more flexibility in disclosing technical information for those who use Microsoft servers, middleware products as well as end users. For enforcement, the settlement creates an independent Technical Committee with unlimited staff and on-site access to the entire Microsoft campus.

I can't imagine that this is not an excellent settlement for the federal government which spent \$30 million of taxpayers' money and more than five years on this case. Nine states' attorneys general have agreed and I wish the other nine would as well.

Thank for your kind consideration of my opinion on this matter.

Sincerely,
Edward L. Powell

MTC-00013581

From: Raj Chand
To: Microsoft ATR
Date: 1/17/02 6:17pm
Subject: microsoft settlement
Hi,

I cannot believe that the U.S. government are not going to tear Microsoft apart for years of bullying and abuse of their monopolistic position. They now have access to SGI's 3D technology which they will use to force OPEN GL out in favour of their own propriety Direct 3D. A cynic would suggest that this makes much of the US government look as though it is in Microsoft's pocket. To suggest that the best way of punishing them is to give them a monopoly in Education is disgusting. Who runs the USA? The government? the people? or Microsoft?

Thanx
Greatly Insane

MTC-00013582

From: Scott Elkins
To: Microsoft ATR
Date: 1/17/02 6:17pm
Subject: Microsoft Settlement

I am not satisfied with Microsoft's proposed settlement. They have used unfair practices to expand their market share, and this proposal would only continue to foster their undeserved growth. A fair settlement does not have to be crippling to Microsoft, but it should be punitive enough to

discourage their shady business practices. I cannot, in any way, discover how this settlement could be considered in the long run as anything less than a reward.

Scott Elkins

MTC-00013583

From: Tyson Evans
To: Microsoft ATR
Date: 1/17/02 6:21pm
Subject: Microsoft Settlement

I am a college student, and I have essentially grown up with the computer industry. I cannot fathom why the United States government, a supposed voice of the people, could accept a settlement that more than a dozen states, let alone millions of people, completely disagree with. It doesn't sound like representative government to me, but maybe I should have studied more in civics.

The Government has a important chance here to influence an industry that is being squashed by Microsoft, and affect the minds of a public (particularly my generation) who see nothing but greed, favors and dirty politics in the institutions which claim to represent us. This settlement is a joke, and I'm guessing the executives at Microsoft are laughing the most. Unless Microsoft is forced to stop its anti-competitive practices, companies with true ingenuity and creativity can never hope to survive—let alone flourish to a small fraction of what Microsoft currently dominates.

As a consumer, a voter and a citizen I stand strongly against this settlement and feel cheated by a government that is willing to accept it.

Tyson Evans
tysons@ucla.edu

MTC-00013584

From: E.Palmer
To: Microsoft ATR
Date: 1/17/02 6:05pm
Subject: Money is no object.

Thank you for this opportunity to speak regarding the settlement. I am a person of few words, especially when I am not entirely embroiled with the details of this case. I would rather convey more of a personal and professional take on this matter. Microsoft has created a generation of people that feel victimized every time they load Microsoft products onto their machines. Many of us outside the corporate structure have little time and resources to deal with the inadequacies of their products, but since Microsoft has embedded itself as the industry standard, it is near impossible to be productive with any other software.

Making them pay exuberant amounts of money is almost ineffectual for what they lose in a year to this case, they will make back in three years with little or no serious change within their company. Bill Gates and his close friend Steve Ballmer, will be able to walk through this and continue to prosper. Microsoft is still a major influence on all levels, and I think the punishment should adhere to all of these levels. I am not requesting a complete overhaul, or disassembly of this company. I would rather see it humbled before the law, for in this professional computer user's opinion, they

will continue to laugh their way to the bank no matter what obstacles they will step over. It is already the opinion within the tech world that our justice system's lack of current technology and trends allowed Microsoft to skate by on ignorance and misinformation.

In Summary, I believe the correct punishment should cover the crime. If Microsoft has made billions of dollars for it's anti-competitive practices than it should relinquish that which connected it to the money. I truly believe if you take away their swagger on invincibility, they will come off of their cash lined cloud, and join the rest of us on the ground and really see what they have done to those who depend on them. They frighten all of us because if they do not fear the law, how can the common programmer or elementary teacher make a stand. Thank you and good day.

E. Palmer

IT / K-8 School Teacher—Humboldt
County Office of Education

MTC-00013585

From: jrod(a)mindsping.com
To: Microsoft ATR
Date: 1/17/02 6:23pm
Subject: The Death of OpenGL

Dear DOJ,

I'm writing to inform you that yesterday Microsoft gained the licensing to most of the SGI OpenGL libraries that are in existence. What are they planning on doing with this? If the past is a model to go by, they are attempting to kill one of the widest used OPEN graphics programming libraries (everyone can use them, they are an open standard, not proprietary) in favor of their own proprietary DirectX. Please, Please, Please, this cannot happen!!!! We as computer users and developers should be free to develop and use open standards that can be shared by all for the mutual benefit of the computer industry and the consumer. It will be the consumer who will have to pay the price of Microsoft dominance of the computer graphics industry, because we will have to foot the bill for all the fees, etc. that Microsoft will use in its tyrannical use of DirectX. They cannot control the market and kill off competition! The power to prevent this lies in your hands. Please, for the sake of the consumer and the computer software/hardware development community, don't let Microsoft kill off open software/hardware standards in favor of their own proprietary and closed systems.

Jason Rodriguez
Computer Graphics Designer
Macintosh/SGI/UNIX user
Virginia Beach, VA

MTC-00013586

From: Elaine (038) Theo
To: Microsoft ATR
Date: 1/17/02 6:34pm
Subject: Microsoft Settlement

A FINFlash Alert: January 28 Deadline for comments to DOJ

<http://www.usdoj.gov/atr/cases/ms-settle.htm>.

My husband and I are retired and with the fluctuation in our Microsoft stock have lost a great deal of money. My son-in-law took his own life on December 29, 2001 due to his

severe losses in Microsoft stock. Please settle this matter in your suit against Microsoft. They have done nothing illegal. I do not want my husband to have to resume his medical practice at the age of 76.

Dr. Theodore Markellos and Mrs. Elaine Markellos

MTC-00013587

From: Walter Dufresne
To: Microsoft ATR
Date: 1/17/02 6:39pm
Subject: Microsoft Settlement

Dear Department of Justice,

Please, among other things, make the monopolist Microsoft purchase and distribute software that competes with MS's monopoly. This software might include both operating systems software and application programs software. The recipients might include schools, libraries, and community service and cultural organizations.

Sincerely,

Walter Dufresne, Photographer
31 Montgomery Place, Brooklyn, NY
11215-2342 USA
tel: +1.718.622.1901 fax: +1.718.789.1452
e-mail: walter.dufresne@aya.yale.edu

MTC-00013588

From: Frank Restly
To: Microsoft ATR
Date: 1/17/02 6:44pm
Subject: Microsoft Settlement
III. Prohibited Conduct

H. Starting at the earlier of the release of Service Pack 1 for Windows XP or 12 months after the submission of this Final Judgment to the Court, Microsoft shall:

1. Allow end users (via a mechanism readily accessible from the desktop or Start menu such as an Add/Remove icon) and OEMs (via standard preinstallation kits) to enable or remove access to each Microsoft Middleware Product or Non-Microsoft Middleware Product by (a) displaying or removing icons, shortcuts, or menu entries on the desktop or Start menu, or anywhere else in a Windows Operating System Product where a list of icons, shortcuts, or menu entries for applications are generally displayed, except that Microsoft may restrict the display of icons, shortcuts, or menu entries for any product in any list of such icons, shortcuts, or menu entries specified in the Windows documentation as being limited to products that provide particular types of functionality, provided that the restrictions are non-discriminatory with respect to non-Microsoft and Microsoft products; and (b) enabling or disabling automatic invocations pursuant to Section III.C.3 of this Final Judgment that are used to launch Non-Microsoft Middleware Products or Microsoft Middleware Products. The mechanism shall offer the end user a separate and unbiased choice with respect to enabling or removing access (as described in this subsection III.H.1) and altering default invocations (as described in the following subsection III.H.2) with regard to each such Microsoft Middleware Product or Non-Microsoft Middleware Product and may offer the end-user a separate and unbiased choice of enabling or removing access and altering default configurations as to all Microsoft

Middleware Products as a group or all Non-Microsoft Middleware Products as a group.

2. Allow end users (via a mechanism readily available from the desktop or Start menu), OEMs (via standard OEM preinstallation kits), and Non-Microsoft Middleware Products (via a mechanism which may, at Microsoft's option, require confirmation from the end user) to designate a Non-Microsoft Middleware Product to be invoked in place of that Microsoft Middleware Product (or vice versa) in any case where the Windows Operating System Product would otherwise launch the Microsoft Middleware Product in a separate Top-Level Window and display either (i) all of the user interface elements or (ii) the Trademark of the Microsoft Middleware Product.

3. Ensure that a Windows Operating System Product does not (a) automatically alter an OEM's configuration of icons, shortcuts or menu entries installed or displayed by the OEM pursuant to Section III.C of this Final Judgment without first seeking confirmation from the user and (b) seek such confirmation from the end user for an automatic (as opposed to user-initiated) alteration of the OEM's configuration until 14 days after the initial boot up of a new Personal Computer. Microsoft shall not alter the manner in which a Windows Operating System Product automatically alters an OEM's configuration of icons, shortcuts or menu entries other than in a new version of a Windows Operating System Product.

Begin my comments:

You know that a simple change in terminology made by Microsoft (the "Start menu" is now the "Begin menu" and the "desktop" is now the "playground" under Windows XP version 2.0) basically voids any hope of the end user custom configuring his or her system. Notice that these two terms are NOT defined in article VI—Definitions. Sheesh—and I thought anti-trust law was about giving the user a choice.

MTC-00013589

From: Matthew Wilkinson
To: Microsoft ATR
Date: 1/17/02 6:48pm

this lawmsuit is such a load of crap! a waste of my tax dollars! awaste of court time! How Many really important cases could have been heard during this time. the settle ment is more than fair.

Matt

MTC-00013590

From: Arild Shirazi
To: Microsoft ATR
Date: 1/17/02 6:52pm
Subject: Microsoft Settlement

To whom it may concern:

I wish to submit a comment, pursuant to the Tunney Act regarding the proposed settlement between the DOJ and Microsoft.

I feel that nothing short of a break-up of Microsoft will remedy the abuses of its monopoly in operating system software. The proposed remedies do not go far enough in preventing Microsoft from expanding its monopoly to other categories of software. As a consumer, I feel that the currently proposed settlement will limit my choices of software

in the future, will stifle innovation, and will result in artificially high software prices.

Sincerely,
Arild Shirazi
ashirazi@mac.com

MTC-00013591

From: John Herber
To: Microsoft ATR
Date: 1/17/02 6:02pm
Subject: Microsoft has abused it's market position

To whomever is listening,
I still feel that a break up of Microsoft would be the best solution. It's the only way you can assure that they won't abuse their Monopoly position as the dominant OS.

But since a Break up isn't going to happen, the playing field must be leveled. Companies hurt by Microsoft should get some of Microsoft's profits. Giving some software to schools is seems nice, but how does that help the companies that Microsoft bullied out of business. When someone is caught cheating in a game, they don't get to keep the winnings they received unfairly. It goes back to the players that were cheated. I don't care what the details are, but Microsoft should not be allowed to take out the competition. Then from on top of those companies remains give some software to some schools and act as though they are being charitable. When the real motive of there actions is to become an even bigger Monopoly. Can they wipe out some other area of business and then plan on giving some money away and then that makes it "all better". The real question is do you want Microsoft to continue to do this. If not, then punish them to the point that they say "we'll never do that again". So far all I can see is encouragement for Microsoft to go right on doing what they've always done. This is not the first act of abuse, if you don't punish them they will continue to force other companies out of business. The fact that their proposed solution to the problem was to extend their monopoly into the education market proves that they have no remorse. Please send a message to them and to other companies. We have made the rules of fair competition, we need to make sure all companies follow those rules, and that there are consequences for breaking those rules. If there are no consequences for abusing Monopoly power, why is the DOJ wasting taxpayer's dollars trying to enforce a empty law.

Thank you,
John Herber
IS Manager
Magnetic Poetry

MTC-00013592

From: Fred Good
To: 'Microsoft.atr(a)usdoj.gov'
Date: 1/17/02 6:59pm
Subject: Microsoft settlement
Good day!

I've just thumbed through the recommended documents regarding the Microsoft case and settlement. The legal aspects of this case are rather boggling to the average consumer, but when you boil it down it is obvious what is going on. Microsoft has taken advantage of millions of consumers, and hence, their own good fortune. I, for one,

am completely outraged. It is appalling to me that they find themselves "above the law", or that they believed they could out-fox the lawmakers of this country. Did Microsoft think it would work? Why would they think it could? How stupid do they think our government is? Their actions are a slap in the face of capitalism, and our judiciary system. Shame on you, Mr. Gates.

Frederick Good

MTC-00013593

From: Richard Shuren
To: Microsoft ATR
Date: 1/17/02 7:08pm
Subject: Comments about Microsoft settlement

To whom it may concern,

As regards the Microsoft settlement of its antitrust case, please do not let Microsoft get away with merely giving away PC products and Microsoft software to satisfy the dollar value of the settlement.

I strongly agree with executives from Apple Computer who have pointed out that this action in itself would be anti-competitive in that it creates larger market share for Microsoft.

I am a long time avid Macintosh computer user, and do not want to see Microsoft slip away with this token gesture on their part.

Thank you for considering my comments.
Richard Shuren

MTC-00013594

From: Javier Morales
To: Microsoft ATR
Date: 1/17/02 7:16pm
Subject: suggestion

I think it would be rather simple:

Get the PC manufacturers out from under the MS boot.

1. Give licenses to MS OS to anyone that asks under non-discriminatory licenses. MS should not be able to use the threat of rescinding licenses to prevent computer users from putting software from other companies in their boxes.

2. Allow companies to bundle any software they want with their hardware without conditions from MS. If a manufacturer wants to put an AOL icon on their desktop, they should not be forced to also put an MSN icon in the desktop. This is particularly galling when you consider that AOL offered \$35 per subscribed and MS offered nothing.

There's plenty more, but I am certain you have heard it before.

Respectfully,
Javier

MTC-00013595

From: Christina Mehl
To: Microsoft ATR
Date: 1/17/02 7:17pm
Subject: Microsoft Settlement
Judge Kollar-Kotally,

The proposed settlement in the U.S. vs. Microsoft case is fundamentally flawed. Nowhere is Microsoft's monopoly power checked, nor are they required to pay for the benefits of their anti-trust violations.

As a concerned citizen, I wish to voice my objection to the proposed final settlement, which doesn't prevent Microsoft from repeating its anti-competitive behavior.

Sincerely,

Christina Lynn Mehl
1255 Cortez Dr. #1
Sunnyvale, CA 94086
(650)969-1566

MTC-00013596

From: Andrew Apel
To: Microsoft ATR
Date: 1/17/02 7:17pm
Subject: Microsoft Settlement

To the Honorable Judge Kollar-Kotelly,
I am opposed to the current settlement with Microsoft, as I do not believe they should be able to profit from any past (and apparently numerous) actions that violated the antitrust laws and/or guidelines.

Sincerely,
Andrew Apel
155 Jamestown Lane,
Bolingbrook, IL 60440
Tel# 630/783-8733

MTC-00013597

From: Hamannhome@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 7:22pm
Subject: Court action not severe enough

In short, I recommend that the current settlement of the microsoft case be removed and more stringent penalties applied to Microsoft. They have used their monopolistic power to stifle competition and crush upstart competitors. I'd ask the justice dept to follow the remaining states in DEMANDING a more equitable solution and I personally beleive a break up of the software maker is still a viable solution.

MTC-00013598

From: i a n c a r t w r i g h t
To: Microsoft ATR
Date: 1/17/02 2:51pm
Subject: Microsoft Antitrust

To whom it may concern,
As a professional Designer/Web developer, the stranglehold Microsoft has on the tech industry is unjustifiable.

It maintains that it innovates, while in reality it buys companies that are innovating and uses its sheer size to stamp out unwanted competition. This has been well documented so I need not revisit these claims.

One example being its well known demand that Apple Computer use Microsoft Internet Explorer for Macintosh as the default browser on all new machines or it would cancel development of Microsoft Office for the Mac—a blow which would have meant almost certain death for one of the few true innovators in the industry. This probably doesn't come close to touching on the goings on that aren't documented.

They should not have the power to demand what canned OS or software feature set does or does not run on PC manufacturers machines.

I think they have stifled innovation and set the industry years behind where it could be—all at our expense.

Regards,
Ian Cartwright
M u l t i m e d i a A r t i s t
ian@gothamad.com
Gotham Images
333 2nd Street, NW
Hickory, NC 28601

vox: 828.327.8099
fax: 828.327.0189

MTC-00013599

From: Ray Lund
To: Microsoft ATR
Date: 1/17/02 7:30pm
Subject: Microsoft Settlement

As an educator I am greatly disappointed in the proposed Microsoft settlement. Microsoft should not be given the opportunity of donating computers to schools which adds to the monopoly opportunities they already posses.

Ray Lund
Saco, Maine

MTC-00013600

From: GeorgeM835@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 7:31pm
Subject: MICROSOFT SETTLEMENT

I AM ONE WEST VIRGINIAN WHO THINKS DIFFERENT THAN THE ATTORNEY GENERAL OF MY STATE. I THINK THAT THE SETTLEMENT ALREADY REACHED WITH THE OTHER STATES AND MICROSOFT IS ADAQUATE AND IT IS NOW TIME TO MOVE FOWARD. THIS IS ONE AMERICAN COMPANY THAT HAS BEEN SUCCESSFUL ON A WORLDWIDE SCALE AND WE AS AMERICANS SHOULD BE PROUD OF ITS ACHIEVEMENT.

GEORGE MASON
MORGANTOWN , WV

MTC-00013601

From: John M. Cantey
To: Microsoft ATR
Date: 1/17/02 7:42pm
Subject: Microsoft Settlement
SETTLE!

MTC-00013602

From: brooks williams
To: Microsoft ATR
Date: 1/17/02 7:43pm
Subject: judge made correct decision

The correct decision was made in disallowing microsoft to flood schools with their operating systems. If allowed it would have been a brilliant way to further an already massive monopoly. Microsoft doesn't even make computers. They enforce the way most people use computers. This is not the American way. I hope the courts and the government realize this. In the U.S. we take pride in having choices. I love being able to choose amongst an array of deodorant, furniture, or cereal. And, if I don't have a choice I'd rather the government have control over it. Imagine how much money we could budget if microsoft were a government entity.

thanks.

brooks williams

PS: and there were a few non microsoft computers that weren't affected by Y2K (which cost taxpayers a lot of money). More brilliant minds = more choices = more ideas = more solutions.

MTC-00013603

From: Mike Geertsen
To: Microsoft ATR
Date: 1/17/02 7:43pm
Subject: Microsoft Settlement

As a concerned citizen I encourage the Department of Justice to settle this matter quickly with Microsoft. Please do not undergo further litigation. It is more important now than ever that the economy is sound and strong and a settlement with Microsoft with help that happen. Further litigation—when a fair settlement is pending—is not necessary and may weaken the economy further.

Thank you for your consideration
Linda Langkow

MTC-00013604

From: Ray Petrone
To: Microsoft ATR
Date: 1/17/02 7:44pm
Subject: Microsoft Settlement
Ladies and Gentlemen,

You may not have read that Microsoft took an 8 cent per share charge for legal expenses and you may not care but 1,000,000 stockholder households do and so do tens of millions of other Microsoft customers who won't gain a damn thing by prolonging a settlement of this matter that has dragged on since 1995.

You are not saving consumers from anything from my own informal survey. And from my past work with Microsoft customers, by and large, they don't seem to care about what you are except for a few people who complain about everything in their life being unfair.

I urge you to spend taxpayer money where it will achieve justice in matters where is more clearly some offense. (How are you dividing your time on the Enron case? Have you ever looked into the practices that catapulted Walmart to its near monopoly status?)

If anything more should be done it should involve retrying this matter from scratch to address the judicial misconduct of Judge Jackson. But all such activities are counterproductive for EVERYONE in this country.

And finally, in order to achieve uniform justice, I trust that your department will monitor donations of large industry leading companies to schools. We have heard from the courts how such activity constitutes unfair competition so let's make sure that companies with similar market positions as Microsoft don't help our school system as well. Let's work to preserve those companies that customers no long prefer by natural choice.

Sincerely and respectfully,
Raymond Petrone, P.E.

MTC-00013605

From: Wayne Schlueter
To: Microsoft ATR
Date: 1/17/02 7:49pm
Subject: Microsoft Settlement
Dear sirs,

I wish to express my opinion that any settlement reached with Microsoft NOT include any provisions that would increase their already obscene monopoly position. Specifically, I mean, NOT allowing them to "donate" software or hardware to ANYONE as part of the settlement. To me, that would be almost exactly the same as the tobacco companies giving away cigarettes at sporting

events. It is NOT a form of punishment, it is a form of ADVERTISING!

My personal opinion is that the company should be broken into two parts, one that makes only operating systems, and one that only makes other software. In other words, I agree with the original judgment handed down by Judge Jackson. I see no other effective way to insure that the monopolistic and illegal activities of the company can be curtailed. Please do not let the power of this giant corporation push you to a position that you would not tolerate from an equally guilty defendant with less sway with people in high places.

Yours sincerely,
Wayne schlueter
10952 Lariat Ln
Dewey, AZ 86327
kitway@commspeed.net

MTC-00013606

From: Lois Cowan Walker
To: Microsoft ATR
Date: 1/17/02 7:53pm
Subject: Settlement

This case has continued for years and it is hard to understand all that is involved. I would think our good government has many more items to handle at this time.

Now the government is acting like a mom and dad who let their children make decisions and the children think they should make some demands in their decisions; i.e. its like the government cannot make up its mind either.

I wonder how much money has been spent on this case— how much will anyone gain? What has happened to free enterprise? Has anyone given thought to how this case has affected Microsoft stock and when Microsoft stock goes down so goes other tech stocks. Yet they survive and bounce back—they do not quit working to improve their business.

I am a retired secretary and I applaud Microsoft for making personal computers user friendly and today I applaud them again for stating their intentions to do all possible to improve internet security.

I ask you as a senior citizen to think hard before you carry this case further.

Thank you in advance for consideration to ending this drawn-out case—if you want to, you can continue to find wrong anywhere you want to look.

Lois Cowan Walker

MTC-00013607

From: apryor
To: Microsoft ATR
Date: 1/17/02 7:56pm
Subject: "Microsoft Settlement"

I HATE Monopoly and Microsoft. Do not collect the \$200 when you pass go. And NO you cannot be the thimble, that is my peice, I called it. I know you are one of those bankers that likes to smuggle the 5 hunnies. So that is why we must stop all forms of Monopolies whether Milton Bradley or Bill Gates!!

Microsoft is bad because they like to create monopolies and dominate the "free" world trade. They might as well be commies. This is a form of terrorism. It must be stopped immediately. PFJ really shouldn't be passed because if it does that means Bill will have

a monopoly. Basically he owns Boardwalk and Park Place with 2 huge hotels on it. Not to mention he controls all railroads. He needs to share or be forced to share. Don't do it, don't pass PFJ! Please!!!! thank you judge, charge it 100%. We need you.

drew

CC:microsoftcomments@
doj.ca.gov@inetgw,dkleinkn@ yahoo.

MTC-00013608

From: RICHSTP@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 8:02pm
Subject: Mocrosoft Settlement

It's about time the anti-capitalists in Washington got off the backs of the people making this country what it is, a country in which most intelligent people applaud those who work their tails off to create jobs. But there are supposedly intelligent people who decry the individuals who create jobs in this country. As usual the settlement resulted in the lawyers pocketing the dough. When will the politicians in Washington get it through their heads to put the brakes on the trial lawyers in this country? Enough is enough.

MTC-00013609

From: Gary Gable
To: Microsoft ATR
Date: 1/17/02 8:03pm
Subject: Settlement

I believe that the settlement agreement expands Microsofts monopolistic posture. The education market which is the focus of the agreement is one that Microsoft currently has a small percentage. The agreement does not establish a method that will discourage Microsoft into the future. Their business unit will not have been altered to promote a equal playing field and a competitive environment. I feel that Microsoft should be held fully accountable for their monopolistic actions.

Gary Gable
11210 West Monte Vista Rd.
Avondale, AZ 85323

MTC-00013610

From: Mouseboy38@mac.com@inetgw
To: Microsoft ATR
Date: 1/17/02 8:05pm
Subject: After reading all the data I could

find on usdoj.gov on the Microsoft

After reading all the data I could find on usdoj.gov on the Microsoft anti-trust case, I've come to a personal conclusion that Microsoft is still trying to turn this entire case into a positive experience for themselves. Think of the recently shot-down idea of giving free Windows to schools. Sure it would cost Microsoft about 3 cents per CD to give the schools Windoze, but those schools would then have to buy more software from Microsoft and would eventually have to upgrade to a higher Windoze operating system.

As you can probably see from my email address, I am a mac user. I am a very proud and extreme Mac user at that, so bear with me if this seems biased. If Microsoft were forced to simply pay the schools vast amounts of money, I think it would make everyone happy but Microsoft. The amount of money would have to be well over a billion dollars to be more than a slap on the wrist to Microsoft. Now the biased part. I still

believe that Microsoft should be split up, not just into 2 companies, but into at least a dozen small companies. Windows development company, office and other productivity software company, games company, small hardware company, Xbox company, etc. My experience with all of Microsoft's hardware and software with the exception of Office v.X for Mac OS X has been thoroughly negative. Microsoft's tactics are clearly to make their own life better, even now that they are under investigation. Microsoft needs to be punished and punished *hard*

Sincerely,

Brook Willard, age 18

MTC-00013611

From: G Young
To: Microsoft ATR
Date: 1/17/02 8:14pm
Subject: Microsoft Settlement

I believe that Microsoft will never agree to any "settlement" that is justified per their proven illegal and unethical acts. The proposed "punishment" (punishment is the word that is frequently omitted for political correctness) put forth by the nine states is much more generous to Microsoft than it should be based on the evidence presented against Microsoft. I believe that those who feel the "settlement" agreed to by Microsoft is fair (or necessary) are intellectually dishonest.

Gary Young

MTC-00013612

From: MMalone@burntsand.com@inetgw
To: Microsoft ATR
Date: 1/17/02 8:13pm
Subject: Microsoft Settlement

Folks,

If Microsoft is going to be punished it should be through them providing x amount of dollars with which the education sector can use as it pleases. Allow MS to provide products will be letting them off easy. The real cost of software is quite low and I'm sure that if the settlement is \$10 M they will use the S.R.P. their products to calculate how much they need to provide.

Another thought is that it would be nice for the settlement to result in something that doesn't support the high tech industry. Like paying the salaries of librarians in the inner city, or buying new books, a coat of paint or a new building for a school.

Mark Malone
Project Director, Burntsand Inc.
Voice: +1 (408) 271-0205
Fax: +1 (408) 271-0230

MTC-00013613

From: Murphylee32@aol.com@inetgw
To: Microsoft ATR
Date: 1/17/02 8:28pm
Subject: Microsoft Settlement

183 Notchwoods Drive
Bowling Springs, South Carolina 29316
January 16, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

This lawsuit is entirely baseless! I fail to see the stability in a government who on the

one side, endorses free enterprise, while on the other, punishes those who excel in their industry. This is how I view the treatment that Microsoft has had to endure over the past three years. This is truly unfair. Microsoft should not be blamed for being a leader in their industry and yet, their efforts to innovate, improve the economy, provide affordable and user-friendly software, have all been rewarded with friction on both the state and federal level.

I realize that the federal government has recently reached a settlement with Microsoft and that the opposition now is mostly at the state level. I am therefore writing to express my opinion and to ask that you continue to do all you can to bring this case to a close. Microsoft has truly been cooperative in this entire matter and have opened up their infrastructure—so to speak—in order to accommodate their competitors. They have agreed to uniform pricing, and disclosure of internal interfaces and protocols. Microsoft seems to be satisfied with the settlement as is evidenced by their compliance. Please make every effort to relay this compliance to the remaining opposing states.

Sincerely,
Aubrey Pointer
cc: Senator Strom Thurmond
Representative Lindsey Graham

MTC-00013614

From: Richard Hamilton
To: Microsoft ATR
Date: 1/17/02 8:31pm
Subject: Microsoft Settlement

Hi—

Having read through the proposed settlement for the case, namely a consent decree, I must say that this 'punishment' for Microsoft (Microsoft having been found guilty) is not entirely appropriate. The essence of this decree would be Microsoft promising not to do it ever again, and allowing their work to be monitored, to a certain extent. However, this same punishment was meted out previously to Microsoft several years ago—and yet, the consent decree imposed upon them did nothing to discourage them from continuing in their ways just as before. Indeed, despite the consent decree, they still had another case for a similar matter brought against them, and they were found guilty! One can see from this that it is quite likely that Microsoft simply ignored the previous consent decree, and would quite likely do exactly the same thing all over again.

Also consider that, given the effectiveness of consent decrees in relation to Microsoft in the past, this consent decree would have little impact—almost certainly meaning that another case would be brought up against Microsoft in a few years. And we'd start the circle all over again, wasting time, and taxpayers money. Simply put: a strong punishment now, showing that the Department of Justice is not to be trifled with, would prevent further court cases, as well as further infringements by Microsoft.

A consent decree has not worked in the past, and by all likelihood, will not work in the future with this particular company. A better solution to Microsoft's infringements must be found.

Thanks,

Richard

MTC-00013615

From: Sid and Anita Pevear
To: Microsoft ATR
Date: 1/17/02 8:33pm
Subject: Microsoft Settlement

I would like to know whose idea this was, because I don't see anything in this settlement that does anything to discourage Microsoft from doing business the same way. I believe it even gives them a free conduit in to a market that they have always had a problem cracking i.e.; education. I personally think they should be made to set up a trust with the cash and let the schools decide for themselves what equipment they would like to buy. I can already see Mr. Gates licking his lips at the prospect of having a clean shot at a captive audience for his shoddy products. I think this 800 pound gorilla needs a big cage.

MTC-00013616

From: Michael J. Hutchinson
To: "microsoft.atr(a)usdoj.gov"
Date: 1/18/02 8:32pm
Subject: Microsoft Settlement

Please move forward with the proposed settlement and stop wasting time and money.
M. J. Hutchinson

MTC-00013617

From: Clyde Rogers
To: Microsoft ATR
Date: 1/17/02 8:42pm
Subject: Microsoft Settlement

This is a comment on the Microsoft antitrust settlement. As a citizen of the United States, I wish to express my deep disapproval of the recent proposed Microsoft settlement (which allowed Microsoft to dump their products on the educational market). In fact, I believe that any settlement that involves Microsoft products to be only a boon to the company, and not a punishment in any sense. If Microsoft is to atone for its unfair practices, it must move to level the software development landscape.

Microsoft should be required to publish detailed interoperability documentation for existing versions of its Windows operating systems. No Microsoft program should be allowed to take advantage of undocumented operating system features, and no Microsoft application program should be developed with insider resources unavailable to other corporations. If Microsoft is unwilling to propose reasonable plans that ensure and verify this separation, then Microsoft operating system development and application development must be split into separate corporations.

Microsoft should also be required to publish (and adhere to) complete specifications of all defacto standard document formats (Word, PowerPoint, Excel, Access, etc.). Many of these formats were published in previous times, but are no longer published now that the competition has been dispensed with. As these formats have become the standard format for their respective applications, no competition can be expected to arise without access to accurate documentation of their construction.

Microsoft also must be required to maintain these documented interfaces as

public standards. Microsoft must retain ownership of the standards, but must not be allowed to change the standards gratuitously (to drive the competition out of business again). Thus either an industry committee must be involved in making changes, or at the very least, changes must be approved and published some months before products implementing those standards are released to the public by any corporation.

Thank you,
Clyde Rogers

MTC-00013618

From: Kent W. Backstrom
To: Microsoft ATR
Date: 1/17/02 8:50pm
Subject: Microsoft Settlement

I believe that what has been suggested by the U.S. Government in this case is completely inappropriate. Microsoft is a "serial" monopolist and the suggested remedy is completely inadequate.

MTC-00013619

From: David Simpson
To: Microsoft ATR
Date: 1/17/02 9:04pm
Subject: Microsoft Settlement

Microsoft settlement comments,
I don't believe that the proposed settlement goes far enough to prevent Microsoft from continuing its monopolistic practices.

By virtue of the fact that Microsoft already has an illegally-acquired monopolistic share of the computer software marketplace, it will be very difficult for any competitors to gain market share. Therefore I believe that the only remedy to the court case which will serve to promote competition and redress the offenses which Microsoft has committed is the breakup of the company. If Microsoft was broken up into at least two parts: an operating system supplier, and an applications software developer, competition would be restored. As a provision of this type of settlement, Microsoft should be ordered to develop its operating system for other hardware platforms (Sun—using Sparc processors, and Apple—using PowerPC processors—hardware as a minimum). The applications software division should be ordered to re-develop all of its applications for use under Sun's Solaris, SGI's IRIX, Linux, and Apple's MacOSX operating systems.

David Simpson

MTC-00013620

From: Michael Scoble
To: Microsoft ATR
Date: 1/17/02 9:04pm
Subject: Microsoft Settlement

Dear Sir or Madam,

Market economics is a beneficial system because it produces a variety of product solutions and allows the consumer to choose. Monopolies function to the opposite. Microsoft certainly has a monopoly, actively seeks more control of its own market, and related services to reduce choice. It is not using advertising and competitive products as a tool of market share acquisition, it is seeking to use product coercion.

Consider current necessity of Windows operating system on storebought hardware, or Internet explorer in windows, would we

permit a doctor such coercion "You can take this blood pressure medication, but the prescription comes with prozac and a laxative, in the same pill." Or Microsoft's goal of making its browser only search for, list and go to Microsoft sites. Could a phone company demand that users not call people with other long distance plans? Or not call 911 because it is not a part of their package?

Companies and service providers are allowed reasonable control over their product and services. Microsoft's actions are not reasonable, not good for the consumer, the market, or our country. (Is dependence on a bug-infested, inefficient and self-obsolete system a good thing?)

Thank you for your time

-Michael Scoble

MTC-00013621

From: William Kuhle

To: Microsoft ATR

Date: 1/17/02 9:05pm

Subject: Microsoft Settlement

Hello:

Microsoft treated the PC hardware platform as if it owned it, and thus hurt consumers, software developers, PC OEMs, OS competitors, and the industry in general. Microsoft is an unrepentant monopolist. I believe that the best settlement would be:

Microsoft is broken up into separate Systems, Applications, and Internet Explorer companies.

Barring a breakup of Microsoft, penalties should include:

(1) Microsoft must standardize and publicize the entire set of Windows APIs;

(2) Microsoft must standardize and publicize the file formats of its Office applications;

(3) Microsoft must allow the "bootloader" on PC hardware to be controlled by the hardware manufacturers. (The Windows license agreement with PC OEMs specifies that any machine which includes a Microsoft operating system must not also offer a non-Microsoft operating system as a boot option. In other words, a computer that offers to boot into Windows upon startup cannot also offer to boot into Linux or other PC-based OS. The hardware vendor does not get to choose which OSes to install on the machines they sell? Microsoft does.)

See: <http://www.byte.com/documents/s=1115/byt20010824s0001/> for more information regarding the bootloader issue.

I believe that monetary penalties will be inadequate. The current remedies proposed by the DOJ and some of the states are inadequate.

Sincerely,

William Kuhle

655 Goodpasture Island Road, Apt 170

Eugene, OR 97401-1533

541-684-0019

MTC-00013622

From: TrapMac2

To: Microsoft ATR

Date: 1/17/02 9:11pm

Subject: Microsoft Settlement

As you have invited comments, I will speak as an average citizen who uses technology. I have earned my living using personal computers for almost fifteen years.

During that time, I have rarely seen any Microsoft product demonstrate genuine innovation or creative imagination. Instead, they seem motivated only by a desire to control and dominate the entire digital world. Their use of anticompetitive practices and strongarm tactics have won them great wealth and power while providing the computer users of the world with mediocrity and lack of choice.

The computer has revolutionized the world we live in and made tremendous contributions to our society and economy. The decision the Court will render in this case will greatly influence the development of technology and civilization over the next century. As only one small working-class person, I have no hope of standing against the world's richest corporation. All of society is composed of small, insignificant specks like me and our only defense against an amoral giant such as Microsoft is you.

In a criminal case, much emphasis is placed on the defendant's remorse over his/her crime. Microsoft demonstrates absolutely no remorse, continues to deny that a crime even took place, and displays no respect for the Court or its proceedings. They provided doctored evidence during trial (the videotape), contradictory and misleading testimony, and as a "remedy" they actually proposed an action that would extend their monopoly even further in the area of education. What criminal defendant could display such utter lack of remorse and not receive the harshest possible sentence?

What I ask from this Court is simple: Whatever settlement terms are arranged, there must be an absolute and completely Independent Oversight Agency who can monitor and, if need be, neutralize future anti-competitive actions by Microsoft. If Microsoft is allowed even the smallest loophole, they will find a way to slither through it. And all the world, tiny computing nobodies like me, will suffer for it. I beg you to defend us against that dire fate.

Sociopath is the word we use to describe a human being without a conscience but what word shall we employ for a corporation without a conscience? Microsoft CANNOT be trusted and will immediately start seeking ways to evade and undermine any remedies that the Court will devise. I urge you to keep that one thought foremost during your deliberations.

Thank You

Tim Bowen

26078 Crockier Road

Columbia Station, Ohio 44028

330-483-3832

lorien@apk.net

MTC-00013623

From: Don MacGlashan

To: Microsoft ATR

Date: 1/17/02 9:14pm

Subject: comments on Microsoft settlement

Microsoft's settlement proposal is the most clever self-serving plan I think I have ever heard presented in public. After having seeded the education system (the one market they don't own yet) with their software (by giving hardware requiring their software), they would probably realize at least a 10 fold return on investment during the next 10-15

years. Refusal of this plan is imperative if a nominally competitive market place is to remain. If the government likes the idea that Microsoft donate equipment to schools, then require that they donate their competitors' equipment. In this case, since they own the operating system used by most computers, then there are few choices (donating Intel equipment that could use other operating systems is not viable because it is clear that most users would opt to use Microsoft's Windows on this equipment). The obvious choices would be Sun equipment or Apple equipment. Given the significant anti-competitive practices of Microsoft over the years, it seems reasonable that their retribution should include strengthening their competitors position in at least one segment of society. While the education market is of significant size, it is not a particular threat to Microsoft itself since their primary market is business, an enormous market which they would retain. An alternative might be to help school districts higher up the chain by donating large equipment (servers, mainframes) that also do not have any possibility of benefiting Microsoft (they also wish to enter the server/mainframe market with their operating system).

If the government is not interested directly helping Sun, Apple or other manufacturers, then the settlement should assiduously attempt to rectify Microsoft's anti-competitive practices by only considering alternatives that clearly do not benefit, even indirectly, Microsoft in any way. This may seem obvious at this point but each proposal needs to be scrutinized by other parties (as was done in this first proposal).

Donald MacGlashan

Professor of Medicine

Johns Hopkins University

MTC-00013624

From: Anthony Charles Chacon

To: Microsoft ATR

Date: 1/17/02 9:14pm

Subject: Microsoft

Sir or Madame,

As far as I am concerned, Microsoft is guilty of all charges. By allowing them to settle it is sending the message to other countries and our enemies (including Osama Bin Laden) that the United States Government cares more for the financial well being of large, wealthy profitable incorporation than the hard working little guys that they step all over in their quest to rule the marketplace. Microsoft should be held accountable for their monopoly in a court of law and not in a business deal. Such an act would be no more than a slap on the wrist. A settlement would also give the impression that the court's decision that Microsoft is a monopoly was a waste of money and all those tax dollars proving the case were a waste. If you spent all that time and effort to prove, then why not convict and sentence? I am not saying "put them out of business", but to treat them as any monopoly in the past.

Anthony Charles Chacon

MTC-00013625

From: Travis McGee

To: Microsoft ATR
 Date: 1/17/02 9:29pm
 Subject: Microsoft
 PLEASE LEAVE MICROSOFT ALONE.
 DO NOT WASTE MY TAX DOLLARS
 I WILL NOT LET YOU GET ELECTED
 AGAIN IF YOU HARM OUR PRIDE AND JOY
 COMPANY
 VIRGINIA GODDARD
 BOSTON

MTC-00013626

From: Barbara Areitio
 To: Microsoft ATR
 Date: 1/17/02 9:30pm
 Subject: MICROSOFT SETTLEMENT
 LEAVE MICROSOFT ALONE!!

MTC-00013627

From: Richard Ferree
 To: Microsoft ATR
 Date: 1/17/02 9:36pm
 Subject: Microsoft settlement
 Sirs,
 I think MS is too big and has too much
 control of the industry.
 It should be broken up or severely
 restrained.
 A minor fine will not prohibit its
 continuance.
 R. Ferree

MTC-00013628

From: Sonja Reinhardt
 To: Microsoft ATR
 Date: 1/17/02 9:40pm
 Subject: microsoft settlement
 January 17, 2002
 Attorney General John Ashcroft
 US Department of Justice
 950 Pennsylvania Avenue, NW
 Washington, DC 20530-0001
 Dear Mr. Ashcroft,
 The antitrust lawsuit against Microsoft has
 gone on for too long and has been a waste of
 taxpayers dollars. The original reason for the
 lawsuits I thought was to protect consumer
 rights. But instead, under the terms of the
 settlement it seems that only competitors of
 Microsoft have made out. The terms state that
 Microsoft will not be able to retaliate against
 computer makers or software developers who
 develop or promote software that competes
 with anything in its Windows operating
 system. The terms also force Microsoft to
 disclose numerous technological secrets to its
 competitors. These concessions only give
 competition a chance to gain an edge on
 Microsoft ? an edge they could not
 accomplish without lobbying politicians and
 lawmakers.

This case has gone on for too long and it
 is time to settle. It is in everyone's interests
 to end this matter so that the IT sector can
 rebound from its dormant state.

Thank you and I ask your help in finalizing
 the agreement.

Sincerely,
 Sonja Reinhardt
 5810 E. Hohokam Trail
 Tucson AZ 85750

MTC-00013629

From: William P. Crumpacker
 To: Microsoft ATR
 Date: 1/17/02 9:41pm
 Subject: Microsoft Settlement

The company's offer to give a billion
 dollars worth of equipment to schools in
 America is an offer NOT to be rejected out
 of hand. If Steve Jobs fears that will somehow
 give Microsoft an inside track to the entity
 that his company has long held a monopoly,
 then require Gates & Co. to buy half the
 computers from Jobs' Co.

MTC-00013630

From: Joho
 To: Microsoft ATR
 Date: 1/17/02 9:42pm
 Subject: Antitrust

Clearly, Microsoft has displayed MOST
 unreasonable actions about monopolizing the
 OS market. Please place harsh const4rictions
 on them by breaking them into many groups,
 b ut please, sont give them more market share
 by allowing them to purchase computers and
 software for the education market.

MTC-00013631

From: Christopher Choin
 To: Microsoft ATR
 Date: 1/17/02 9:55pm

Microsoft needs to pay either cash or buy
 apple computers for the schools. \$1 Billion
 in Cash to all low income schools to use at
 their disgression. . . .except purchases of
 any Microsoft Products or any products using
 Microsoft Software of any sorts. . . Unless it
 is a brand new Apple computer system. That
 is a true punishment that would make them
 think twice about trying to undermine other
 computer companies again!

Think about this and know it is
 truth. . . .Microsoft is out to take over and
 control the entire computer, software and
 digital lifestyle of all people world wide.

Chris Choin

MTC-00013632

From: John Boatwright
 To: Microsoft ATR
 Date: 1/17/02 9:55pm
 Subject: Microsoft Settlement

My name is John Boatwright and I am a
 resident of Tega Cay, South Carolina. I am
 writing to congratulate the Justice
 Department and Microsoft on reaching a
 settlement of the antitrust litigation, and to
 express my support for the settlement and an
 end to the court proceedings. I believe that
 the settlement reached adequately addresses
 the primary complaints raised by Microsoft's
 competitors. Microsoft has agreed to open its
 Windows applications to competition both
 by allowing the removal of Microsoft based
 programs from the Windows system as well
 as by allowing promotion of competitors''
 software within the Windows system. I also
 support the non-retaliation provisions to
 which Microsoft has agreed in its dealings
 with software competitors. I sincerely
 appreciate the opportunity to express my
 opinion. Please move forward with the
 settlement as quickly as possible.

Sincerely,
 John M. Boatwright, III ps.
 I have attached a PDF of my signed letter

MTC-00013633

From: rockybrook@juno.com@inetgw
 To: Microsoft ATR
 Date: 1/17/02 9:56pm
 Subject: Microsoft Settlement

2980 West Buno Road
 Milford, Michigan 48380
 January 17, 2002
 Attorney General John Ashcroft
 US Department of Justice
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to express my opinions
 regarding the Microsoft antitrust case. As a
 supporter of Microsoft and an American
 taxpayer, I would like this case to be
 concluded.

Under the terms of the agreement,
 Microsoft has agreed to changes that make
 antitrust precedent. The company has agreed
 to document and disclose for use by its
 competitors various interfaces that are
 internal to Windows operating systems
 products. This means that Microsoft has
 more or less opened its inventions for the
 competition to use as a platform to launch
 their own competing products. This is most
 apparent in Microsoft's decision to grant
 computer makers and software engineers
 broad new rights to configure Windows in
 order to promote non-Microsoft products that
 compete with programs included within
 Windows.

The settlement is extensive in the sense
 that it lays out methods of preventing and
 handling future dilemmas. A technical
 oversight committee will ensure that
 Microsoft complies with the terms and
 conditions of the settlement, and competitors
 will be allowed to sue Microsoft directly if
 they feel they've been treated unfairly. It
 appears to me that the issues that brought
 about the case have been addressed. This
 case has dragged on for three years, and may
 drag on more if those that will never rest
 until Microsoft is broken up, have their way.
 I just want to remind you of the devastation
 that would ensue if standardization and
 operability were lost, not to mention the
 stalling of innovation. I hope that you will
 judge this case by its merits, and not the
 depths of lobbyists' pockets.

Thank you for taking the time to consider
 my thoughts.

Sincerely,
 Linda Balsley

MTC-00013634

From: Dave Godbey
 To: Microsoft ATR
 Date: 1/17/02 9:59pm
 Subject: Microsoft Settlement

As posted on your website, <http://www.usdoj.gov/atr/cases/ms-settle.htm#submit> regarding the DOJ/
 Microsoft settlement, I would like to submit
 this comment.

I do not believe the current settlement
 between DOJ and Microsoft is in the best
 interests of the consumer or the country. I
 strongly believe the original decision to break
 up the company is the only sensible way to
 level the playing field between Microsoft and
 its non-operating system competitors. Note
 that its competition in the operating system
 market is non-existent. Microsoft is a
 monopoly, it has abused its position as a
 monopoly, and it will continue to do so
 under the current agreement.

Even under the cloud of the current
 litigation, Microsoft has continue to bundle

components in the newly released XP operating system, namely a media player, instant messaging, and others. This is to the detriment of Real and other media player vendors, and to the number of instant messaging vendors. Clearly these practices are anti-competitive, because when Microsoft makes these component available "free" in the operating system, it is really shifting the costs of delivering those products to the operating system. Consumers tend not to pay for additional components when they already have a "free" one, therefore putting companies like Netscape and Real Networks in jeopardy because they cannot realize substantial revenues from their products, nor the operating system.

1) Microsoft should be allowed to bundle the products. However, consumers must be required to pay for them, and Microsoft must be required to provide an operating system FREE of these products at lower cost should consumers (via the OEMs) request them. Microsoft must stop hiding the cost of these products (like Internet Explorer) in the operating system so that other companies can realize revenues and better compete with Microsoft.

2) Microsoft must give the same level of access to the operating system to other vendors that it gives to its own applications developers. Why do Microsoft Office and other products open so quickly? Because some of their components reside in the operating system and are therefore "preloaded." This makes the Microsoft products look better than its competitors products. Other features available to Microsoft applications that are not easily available to other vendors products also enhance this perception.

How do we better level the playing field? Structure some sort of breakup of Microsoft. It is the only reasonable and enforceable approach.

Thank you,
David Godbey, Ph.D.

MTC-00013636

From: Melissa Jenks
To: Microsoft ATR
Date: 1/17/02 10:03pm
Subject:

Microsoft should not be allowed inroads to the education market that Microsoft should not be allowed inroads to the education market that Apple has concentrated on for years. If they are allowed to give PC's to schools with Windows software, this would further erode Apple's position in the education market.

Melissa Jenks
1325 18th Street, NW #1008
Washington, DC 20036
H: 202-223-3729
W:202-321-3132

MTC-00013637

From: owltree
To: Microsoft ATR
Date: 1/17/02 10:04pm
Subject: Microsoft Settlement
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft,

I use Microsoft products. A lot of them. I use the software, the operating systems, everything. There is nothing better on the market, which is why I was very irritated with the antitrust case brought against Microsoft. Antitrust laws are brought because of a business' monopolistic practices. There were no such practices with Microsoft. I choose Microsoft because they work. Period. Microsoft's competitors whine about Microsoft, then make a better mousetrap. Mr. Bill Gates worked long and hard to make his company what it is today. He did so by providing consumers what they needed: quality, affordable products. Now he is being persecuted for it.

Now, a settlement has finally been reached. And I want to urge you to give your approval to this agreement. We don't need to nitpick over what should be the final decision. Why else are there courts? If we continue to revisit these decisions, it will only undermine the legitimacy of this and future decisions.

And from what I understand, Microsoft has more than done its share to end this lawsuit. Microsoft has agreed to a technical committee to monitor future adherence. It will even share code or programming that Windows uses to communicate with other programs.

It is time to go forward. Give your support to this agreement

Sincerely,
Patricia Keator

PS) A copy of this letter is being sent to you in the US mail.

MTC-00013638

From: Alan Hirschhorn
To: Microsoft ATR
Date: 1/17/02 10:14pm
Subject: Microsoft Settlement
1 Dogwood Road
Hopewell Junction, NY 12533
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Recently, I noted that there is a 60-day period for public opinion regarding the Microsoft antitrust case. This case has been active for more than three years. The proposed settlement was arrived at as a result of extensive negotiations with a court-appointed mediator. The terms of settlement are fair and equitable. I am in favor of finalizing the settlement at the earliest possible date.

Microsoft has agreed to allow competitors access to its documentation, protocol, and programs so that they may attach their non-Microsoft products to Windows without any retaliation from Microsoft. Microsoft has also agreed to have a neutral technical committee monitor their compliance with all provisions of the settlement.

I appreciate the time and effort you've given this case.

Thank you for your consideration in this matter.

Sincerely,
Alan D. Hirschhorn

MTC-00013639

From: Tim Wright
To: Microsoft ATR
Date: 1/17/02 10:16pm
Subject: Microsoft Judgement and Remedies

Any remedy in the Microsoft judgment must restore competition to the marketplace. Microsoft's monopoly position and persistent anticompetitive behavior were issues that brought the case up in the first place, and normal market forces of competition would have prevented these problems. Restoring competition will balance the market and allow end users the choice that we value so highly in a free and open market.

An effective remedy must employ rigorous measures to correct the market imbalance and prevent future anticompetitive behavior from Microsoft. Their established patterns of violating consent decrees and continually testing how far they can step outside of the Court's orders indicate that Microsoft will continue to employ anticompetitive business practices for as long as they are capable. Past behavior and published internal documents from Microsoft support the suspicion that this corporation will continue to stifle competition to unlawfully maintain its monopoly position.

The most effective measure to restore competition to the marketplace is to break up Microsoft. This remedy proved highly effective in the cases of Standard Oil, the Bell System, and countless others. History has proved out that neither the petroleum nor the telecommunications business sectors suffered ill effect from breaking up Standard Oil and the Bell System. The facts show that both sectors flourished substantially after breaking up monopolies into smaller business units and restoring competition to these markets.

As the Bell System was broken up into "Baby Bell" telephone operating companies, and Standard Oil was broken up into smaller, competing petroleum companies, Microsoft should be broken up into an operating systems company, an applications software company, and an Internet services and communications company. This follows the successful pattern employed with the Bell System, where AT&T retained long distance telephone service, and local service was provided by a group of competing, local Bell Operating Companies, the "Baby Bells."

To clarify matters, applications software is defined as computer software intended for specific tasks: word processing, database processing, graphic editing and rendering, audio/video/multimedia rendering, enterprise resource control and planning, local and wide area network administration, communication clients, Web browsers, utility functions such as encryption and data file management, and numerous other, similar functions. These applications all require an operating system to function.

An operating system is defined as the computer infrastructure required for the basic operation of the computer hardware and supporting applications software: data input/output, data storage, and other functions to allow hardware to communicate. Operating systems carry out general tasks necessary to support the computer system and make it useful, leaving specific tasks to applications software that can be added and removed by

the end user without degrading the operating system.

Internet services and communication are remote location services accessed via the Internet or similar telecommunications means. These services include, but are not limited to, information, telecommunications via text (e-mail), voice, and/or video images, access to the World Wide Web, business transactions (e-business, e-trade), and similar wide area communications. Breaking up Microsoft in such a fashion puts the company on a more equal footing with competing firms in the computer software and Internet communications service industries. Breaking the operating system monopoly away from the applications software business unit will prevent further occurrences of unlawful and anticompetitive software bundling, an issue that brought this dispute into court in the first place. Making all the participants in the applications software market equal will foster competition and innovation, as shown by the telecommunications boom that occurred after the Bell System breakup. The Bell System precedent illustrates that end users will not suffer any loss from breaking up Microsoft. In fact, the end users will likely be the biggest beneficiaries as competition encourages innovation, reduced costs, and improved quality. This was the case with the Bell System breakup. An adequate and competent monopoly was broken up to pave the way for substantial innovation and excellence in that business sector. End users currently pay less for more and better telecommunications service in a competitive market. The same benefit will come from breaking up Microsoft.

In the event that the Court chooses not to break up Microsoft, the following remedies are suggested as alternative means to achieve a restoration of competition in the computer software and data communications market:

Regulate Microsoft and the MS-Windows operating systems as a public utility, much the same as electric and water utilities. This will require additional government infrastructure to administer. Such regulation would have to remain in effect as long as Microsoft holds a monopoly. The political overhead of establishing and operating a regulatory agency may be unwieldy, and this will likely require action from Congress to establish and fund such regulatory activity. Prohibit exclusivity clauses in operating system software licenses. Microsoft's practice of requiring hardware vendors to exclude other operating systems as a condition for purchasing MS-Windows only perpetuates Microsoft's monopoly position. End users should have a choice of operating system software, to include double and multiple boot options to use more than one operating system on the same computer. A healthy and competitive marketplace allows end users to select which operating system(s) they want, rather than having vendors dictate to customers what they will use. Consumers must be free to decline pre-loaded copies of the MS-Windows operating systems and return unused operating system software for a refund. Computer hardware manufacturers and distributors must be free to load any operating system(s) that they and their paying customers choose into computer

hardware. Current business practice has the operating system tied to the hardware by a monopoly (Microsoft), leaving purchasers obliged to pay for software that they may not want and cannot return for credit. Microsoft has abused its monopoly position to bar potential competitors from the market, using business practices not too far removed from those of the Standard Oil monopoly in its day.

Another alternative or adjunct to breaking up Microsoft into three companies would be to make the MS-Windows family of operating systems public domain, and Microsoft would have to agree to leave the proprietary operating system market in order to prevent re-establishing a monopoly. This action would effectively dissolve the monopoly that has been at the heart of this case. This action must be voluntary on Microsoft's part, because it could be construed as a taking by the government, rather than the remedy in a lawsuit. Microsoft's violation of antitrust law must not be parlayed into an occasion to collect taxpayer dollars, should Microsoft give up proprietary ownership of the MS-Windows family of operating systems. A public domain Windows operating system can be standardized and administered by nonprofit industrial standards governing organizations, much the same way as World Wide Web domain names and related administrative Internet infrastructure is maintained by the user community. Such a move would place the Windows operating systems in a position analogous to industry standards that serve the general public as a whole.

The overriding concern is that whatever remedy the Court imposes on the Microsoft case, it must restore competition to the market. The best solutions are those that allow natural market forces to prevail, rather than increased governmental oversight and regulation that diverts taxpayer dollars from more pressing issues. Like Standard Oil, Microsoft has persistently and continually employed unlawful practices to maintain a monopoly, and only the most rigorous measures will be effective at correcting the situation.

William T. Wright
Tampa, Florida

MTC-00013640

From: (042) Tom Gleason (042)
To: Microsoft ATR
Date: 1/17/02 10:19pm
Subject: Microsoft Settlement

I'm really amazed at how easy our new government figures want to let off Microsoft so easily! This is ridiculous. . . Microsoft's been a domineering bully for so long now, with Gates always staunchly supporting their selfish attitudes. . . C'mon you guys, be fair for a change! Maybe Enron and those guys bulldozed California, but don't let Microsoft bulldoze our nation. I see republicans as too cozy with big business.

Tom Gleason

MTC-00013641

From: jeff
To: Microsoft ATR
Date: 1/17/02 10:24pm
Subject: Microsoft—Stop going so easy on

these guys CC:

jwdsail@gotocrystal.net@inetgw 1/17/02:

I'm saddened by Microsofts continued anti-competitive behavior, and the governments inability to put them in their place. As additional proof that they plan to continue to restrict innovation and competition, they have acquired several patents from SGI. These technologies are important to many fields (3-D imaging, modeling, high-end graphics) and until now have been fairly open (OpenGL). Under Microsoft control, companies like Apple, Adobe, Macromedia, Sony, and other developers will be forced to adopt perverted closed versions of these technologies. True innovation and competition will be even more restricted than before. Microsoft has proven time and time again that they don't care about security or innovation—For the consumers sake or the governments. Microsoft does a great song and dance about being inovaters and their concern for security of computer systems, but when push comes to shove Micosoft is only interested in control.

Take these guys down.

Thanks.

Jeff

MTC-00013643

From: zarra hermann
To: Microsoft ATR
Date: 1/17/02 10:31pm
Subject: Microsoft Settlement

I am ashamed at the DoJ even considered the last proposal of Microsoft as an actual settlment worth mentioning outside of Redmond's boardroom fantasies.

You have them in a hard spot, not the other way around, correct? It's your big chance to do something that will change the course of history not perpetuate the status quo. The last time we had this chance the US settled for a \$5,000 slap on the wrist to the automakers for effectively putting the railroad out of business in this country.

Microsoft wants a settlement, so make them one you think they need to refuse, and you may have your answer. make them bleed, but if you worry over public relations on this and they know it, you've essentially decided not to have a backbone. Make them bleed. It will benefit future diversity and perhaps deter them from doing it again so obviously. When else are you going to get this chance to actually DO something to send a message to the world waiting?

Zarra Hermann
Zarra

MTC-00013644

From: erich@pop.networkusa.net@inetgw
To: Microsoft ATR
Date: 1/17/02 11:52pm
Subject: Microsoft Settlement

I am opposed to the settlement.

Basically, Microsoft is not being punished, and is allowed to dump their product on the school market the last hold out of the competition (Apple) The competing software should be purchased with the money (GNU/Linux, Apple) and installed in schools so that new computer users develop knowledge of the competing products. Microosft should be enjoined from anti-competitive practices, such as making their

OS's work with LILO or other multi-boot loaders.

I agree that Microsoft, should be broken up, because their continued refusal to apologize for their wrong-doing indicates that their attitude has not changed.

Regards,
Erich Friesen

MTC-00013645

From: Stan Doherty
To: Microsoft ATR
Date: 1/17/02 10:49pm
Subject: Microsoft Settlement

I work in the computer industry.

This "settlement" is bad for:

- * free enterprise
- * technical innovation
- * justice
- * decency

The only good outcome is the realization that if I ever earned billions of dollars in the computer business, I would know that I could bribe my way through the court system

Stan

MTC-00013646

From: Drew Moll
To: Microsoft ATR
Date: 1/17/02 10:47pm
Subject: Comments

Hi—

I wanted to give my comments on the proposed remedy for Microsoft vs. DOJ.

I am a computer consultant, and I make my living using Microsoft software. I believe Microsoft has done nothing that other companies such as Oracle or IBM wouldn't have done if they could. That said, I do believe Microsoft has a monopoly on desktop operating systems, and just as importantly, office software. Specifically, there is no competition to Microsoft office.

This situation is bad for the economy since Microsoft can continue to add "tures" to either Office or one of its operating systems, forcing smaller companies and businesses such as mine to go bankrupt. I believe in the not-to-distant future Microsoft will start integrating a database into its operating system, and this will have an adverse affect on Oracle corporation, the #2 software company in the United States.

To remedy this situation, I believe there are two possible courses. The first is to force Microsoft to spin off their Operating System development and sales into a separate company. The second is to force Microsoft to spin off Microsoft Office development and sales into a separate company. Either of these two remedies will have the desired effect of creating more competition, and a more stable economy since it requires either monopoly to compete more evenly with other software.

Thank you,
Drew Moll
Fairfax, VA USA

MTC-00013647

From: adrongardner@mac.com@inetgw
To: Microsoft ATR
Date: 1/17/02 10:53pm
Subject: Microsoft Settlement

Hello I am writing an opinion on the Microsoft settlement.

First and foremost I believe that any punishment short of dividing the company is

not harsh enough. Second the proposal for them to donate software to schools is yet another thinly veiled attempt to increase their presence in the world. Giving away their own product for free is something that has absolutely no effect on their monopoly status and will only do more to increase it. Apple computer is right to object to this proposal. Being that Apple has relatively zero market share in the corporate world, education is their biggest non consumer market. Their small market share could be diminished much more for Microsoft to simply give away their own stuff. This would eliminate the competition between the two thus bringing up the Anti-competitive practices Microsoft has used to date to become the monster it is.

How the company was allowed to get to this point is beyond me. Imagine if GM was the car maker that supplied 95% of the planets cars. A settlement now is irrelevant. They should have been dealt with a decade ago. However I do have an idea short of splitting up the company. Hows this?

Microsoft must pay a sum to schools who haven't opted for the Windows platform for future purchases. They should also donate money to business and schools who opt out of renewing a Windows license for a competitors platform (Linux, Unix, Macintosh OS). In addition they should be allowed to donate money to low income schools and communities to let them use the money as they see fit.

Microsoft must allow OEM computer manufacturers to configure OS preferences AS THEY WISH, free of hidden penalties and injunctions. OEM's should be allowed to put a Quicktime or REAL player icon on the desktop and not a Media Player icon if that is what they want to do. Microsoft must face continual sanctions for their past actions (much like a terrorist state) limiting their market reach. Especially in the area of forcing companies to upgrade to newer product licenses even when they don't want to upgrade or have no reason to other than for Microsoft to keep their stronghold.

Microsoft must keep producing OFFICE for the Apple Macintosh platform even if Apple doesn't want to make Internet Explorer the default browser. A personal gripe: Microsoft must make their programs easier to delete off a computers hard drive, Macintosh or PC.

These are just a few suggestions. If only one is helpful than that is at least a start. Anyhow SOMETHING EFFECTIVE must be done.

Thank You.

MTC-00013648

From: John (038) Gail
To: Microsoft ATR
Date: 1/17/02 11:02pm
Subject: Microsoft Settlement

As a Microsoft software user, I send this message to urge you to settle the litigation brought against the company with all due dispatch. I believe the proposed settlement is fair, had been found such by many of the States who were involved. It is time to get this litigation behind us and let this segment of our economy operate in freedom once again (subject of course to the rules as have been redefined). Please let this litigation be

ended in the way that has been deemed appropriate by many of the litigants; let Microsoft get back to business!

Thank you, John K. Williams

MTC-00013649

From: Gordon Giles
To: Microsoft Settlement
Date: 1/17/02 12:47pm
Subject: Microsoft Settlement
Gordon Giles
Box 127
Seldovia, AK 99663
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Gordon E Giles

MTC-00013650

From: John Lucas
To: Microsoft Settlement
Date: 1/17/02 4:03pm
Subject: Microsoft Settlement
John Lucas
3007 quenton place
waynesboro, VA 22980
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

John R. Lucas

MTC-00013651

From: Jason Lerman
To: Microsoft Settlement
Date: 1/17/02 4:54pm
Subject: Microsoft Settlement
Jason Lerman
686 10th St.
Brooklyn, NY 11215
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Jason Lerman

MTC-00013652

From: John Baker
To: Microsoft Settlement
Date: 1/17/02 6:10pm
Subject: Microsoft Settlement
John Baker
7708 Arlington Dr.
Nampa, ID 83687
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

John Baker

MTC-00013653

From: J. Lowry
To: Microsoft ATR
Date: 1/17/02 11:15pm
Subject: Microsoft Litigation
See Attached file
Jerry Lowry
1789 100th Avenue Harris, IA 51345-7537
January 17, 2002
Attorney General John Ashcroft, US DOJ
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

My name is Jerry Lowry, of Harris, Iowa. I want to let you know that I am pleased with the Justice Department's settlement of the Microsoft litigation, and I hope that you implement it in the very near future.

It has been difficult for the average person to fully understand all the accusations and counter-accusations hurled by the parties in this litigation. As I understand it, the most frequent and compelling complaint dealt with the inability of computer owners to utilize non-Microsoft software with Windows operating systems on their computers. Microsoft has agreed to allow such competition. Microsoft has also offered to have its compliance with the terms of the settlement agreement by a Technical Committee to avoid further problems and further litigation. I believe the company has gone the extra mile to resolve this case, and I do not see the need for it to drag on and on.

I sincerely hope that you see the wisdom of this agreement (after all, the DOJ wrote it), and allowing its implementation. It's time for the government to get out, and let the market decide who succeeds in the industry.

Thank you for the opportunity to address this matter.

JERRY A. LOWRY

Sincerely,

Jerry Lowry

MTC-00013654

From: Dale Montross
To: Microsoft Settlement
Date: 1/17/02 3:18pm
Subject: Microsoft Settlement
Dale Montross
2324 Serenity Lane
Heath, TX 75032
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,

Dale Montross

MTC-00013655

From: Nancy Burwell
To: Microsoft Settlement
Date: 1/17/02 12:06pm
Subject: Microsoft Settlement
Nancy Burwell
25 Cromwell Drive
Morristown, NJ 07960
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Nancy Burwell

MTC-00013656

From: Noel Harris

To: Microsoft Settlement

Date: 1/17/02 1:19pm

Subject: Microsoft Settlement

Noel Harris

Rt.3, Box55

Cuthbert, Ga 31740

January 17, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Noel Harris

MTC-00013657

From: Aleta Watson

To: Microsoft ATR

Date: 1/17/02 11:15pm

Subject: Microsoft Settlement

Hello,

I would like to thank you for reading my opinion on the Microsoft Settlement.

At the moment Microsoft has a clear monopoly over many aspects of the desktop computer industry and is spreading to others.

An example of this monopoly would be how when you buy a computer from Dell or Compaq, Internet Explorer is pre-installed on the system. I personally dislike Microsoft's browser and naturally chose to use Netscape instead. Upon having Netscape installed I had several error messages appear when I use the internet. If I chose "close" my computer would lock up forcing me to restart my computer. After consulting my friend he informed me that having both of the browsers on the computer would cause conflicts and the only way to remove the errors was to uninstall one of the browsers. Since I preferred Netscape I proceeded to uninstall Internet Explorer which was quite a difficult task because it is tied into so many things in the Windows OS.

Once Internet Explorer was removed I was confronted with two more problems. The first one was that I would have problems when I open folders, which appear to be browsed using Internet Explorer, (Note the "Back" and "Forward" buttons on the top of the window). This was quite a problem since I have many files on my computer and I now could not access them. The second problem was with Microsoft's "Critical Updates" which are patches which usually fix some problem, usually with the OS, (They sure have a lot of updates). These updates can only be accessed using Microsoft's Internet Explorer. Having uninstalled the program from my computer I now could not access them. This left me with a serious problem which could only be fixed by using there browser.

Another problem which deserves some attention, is Window's compatibility with Apple's QuickTime. Many videos and forms of media are in Quicktime format. On newer versions of the Windows OS the Quicktime Player (which is not insatlated with the OS) causes conflicts which leads to crashes and a whole bunch of problems. Since many people still wanted to view Quicktime formatted files, they would call up Microsoft and ask how to fix it. Microsoft would say that yes it was a conflict with the Windows OS and that the only solution was to remove Quicktime. Rather then update their OS through there many "Critical Updates" they forced Apple to make a new version of Quicktime if it wanted to run on Windows computers (which take up most of the market).

These are my reasons I believe Microsoft has a clear and growing control of the market. Thank you for your time.

Sincerely,

Eric Watson

MTC-00013658

From: james bolin

To: Microsoft Settlement

Date: 1/17/02 5:40pm

Subject: Microsoft Settlement

james bolin

7897 n kitchen rd

mooreville, in 46158-6551

January 17, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

james e bolin

MTC-00013659

From: Nola Frick

To: Microsoft Settlement

Date: 1/17/02 5:40pm

Subject: Microsoft Settlement

Nola Frick

112 Honeysuckle Lane

Lake Placid, FL 33852-9236

January 17, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,

Nola Frick

MTC-00013660

From: Randy Hall
To: Microsoft Settlement
Date: 1/17/02 5:40pm
Subject: Microsoft Settlement
Randy Hall
2800 Rosewood Blvd
McKinney, TX 75071
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Randy and Candy Hall

MTC-00013661

From: Colleen Kellerman
To: Microsoft Settlement
Date: 1/17/02 5:54pm
Subject: Microsoft Settlement
Colleen Kellerman
8217 77th Avenue N.E.
Marysville, WA 98270
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Colleen Kellerman

MTC-00013662

From: Robert Montgomery
To: Microsoft Settlement
Date: 1/17/02 2:50pm
Subject: Microsoft Settlement
Robert Montgomery
185 Valley View Drive
Lenoir City, TN 37772]
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Robert A. Montgomery

MTC-00013663

From: Jeanne Goldbach
To: Microsoft Settlement
Date: 1/17/02 4:51pm
Subject: Microsoft Settlement
Jeanne Goldbach
56 Stony Cor. Circle
Avon, CT 06001
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

Jeanne Goldbach

MTC-00013664

From: John Sproat
To: Microsoft Settlement
Date: 1/17/02 3:46pm
Subject: Microsoft Settlement
John Sproat
1419 E. Manasota Beach Rd.
Englewood, FL 34223-6341
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

John R. Sproat, Jr.

MTC-00013665

From: Frank Maybaum
To: Microsoft Settlement
Date: 1/17/02 7:51pm
Subject: Microsoft Settlement
Frank Maybaum
9726 S.W. 190th Terrace Road
Dunnellon, FL 34432-4227
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Frank & Sandra Maybaum

MTC-00013666

From: Gretchen Nichols
To: Microsoft Settlement
Date: 1/17/02 3:56pm
Subject: Microsoft Settlement
Gretchen Nichols
930 Orrvillewood
Wildwood, MO 63005
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Gretchen Nichols

MTC-00013667

From: Robert Hitt
To: Microsoft Settlement
Date: 1/17/02 6:49pm
Subject: Microsoft Settlement
Robert Hitt
11027 W. Old Hickory Ct.
Benton, IL 62812
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Robert L. Hitt

MTC-00013668

From: James R. Bennett
To: Microsoft Settlement
Date: 1/17/02 1:24pm
Subject: Microsoft Settlement
James R. Bennett
20817 Fairpark Drive
Fairview Park, OH 44126-2008
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

James R. Bennett

MTC-00013669

From: Ronald McTaggart
To: Microsoft Settlement
Date: 1/17/02 3:21pm
Subject: Microsoft Settlement
Ronald McTaggart
3536 Bobwhite Ct.
Melbourne, FL 32904
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Ronald McTaggart

MTC-00013670

From: Frank Stoppa
To: Microsoft Settlement
Date: 1/17/02 1:21pm
Subject: Microsoft Settlement
Frank Stoppa
8044 Swamp Flower Dr. E.
Jacksonville, FL 32244-6160
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Frank J. Stoppa

MTC-00013671

From: Kenneth Burns
To: Microsoft Settlement
Date: 1/17/02 3:01pm
Subject: Microsoft Settlement
Kenneth Burns
6106 Waters Edge Rd
Midlothian, Va 23112
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Kenneth S Burns

MTC-00013672

From: Arthur Stafford
To: Microsoft Settlement
Date: 1/17/02 5:48pm
Subject: Microsoft Settlement
Arthur Stafford
16909 Gunboat Circle
Maurepas, LA 70449
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Arthur Stafford

MTC-00013673

From: Robert Goorey Jr.
To: Microsoft Settlement
Date: 1/17/02 7:19pm
Subject: Microsoft Settlement
Robert Goorey Jr.
6723 Wannamaker Lane
Charlotte, NC 28226-8513
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW
Washington, DC 20530

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Thank you for this opportunity to share my views.

Sincerely,
Robert F. Goorey Jr.

MTC-00013674

From: Charley Johnson
To: Microsoft Settlement
Date: 1/17/02 4:48pm
Subject: Microsoft Settlement
Charley Johnson
1389 Harrison Point Trail
Fernandina Beach, FL 32034
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Charley and June Johnson

MTC-00013675

From: Robert Vickers
To: Microsoft ATR
Date: 1/17/02 11:19pm
Subject: Microsoft Settlement

The Microsoft settlement currently under consideration is unacceptable. Microsoft should be dealt with much more harshly. Their business practices have been shameful. Please reject the current settlement offer.

Thank you,
Robert Vickers
Sebring, FL

MTC-00013676

From: Linda Houston
To: Microsoft Settlement
Date: 1/17/02 6:27pm
Subject: Microsoft Settlement
Linda Houston
611 Lopax Rd. T-3
Harrisburg, PA 17112
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views, and even though the above is a form letter, it reflects my views exactly.

Sincerely,
Linda Patton Houston

MTC-00013677

From: zbyter
To: Microsoft ATR
Date: 1/17/02 11:25pm
Subject: Settlement

I think that the settlement is not enough. If Microsoft is not severely punished for their actions I believe that this will only encourage others to risk the same fate. The lack of accountability that this settlement provides only reinforces the declining morals that are currently eroding many aspects of our country.

Thank you.
Julio Cardona
1402 Hoyt St.
Lakewood, Colorado 80215

MTC-00013679

From: Christopher S Keady
To: Microsoft ATR
Date: 1/17/02 11:26pm
Subject: Re: U.S. v. Microsoft: Settlement Information

Microsoft might have been found guilty, but I hope that the justice dept understands that Microsoft destroyed an entire industry with their practices, and they expect the justice dept will do nothing except slap them on the wrist for it. Thousands of people out of work, ideas stolen, and tactics that would land any normal american in jail. Why not have them just payback what they have done? Rebuild netscape and leave the browser market? Thou splitting them up would be the smartest thing, unless you want to go threw this trial again, because Microsoft will pirate and bully again, its their history.

MTC-00013680

From: Catherine O'Riley
To: Microsoft ATR
Date: 1/17/02 11:34pm
Subject: Microsoft Settlement

The proposed settlement seems more like a reward to Microsoft than any type of penalty. Three years ago, when I tried to buy an Intel based computer without Windows pre-installed, no one would sell me one. Every place I tried said they were not allowed to. One place did offer to remove Windows for me, but they still wanted me to pay for it. I consider that direct harm to me.

At the minimum, Microsoft should be required to make ALL their APIs public information. They even offered to, before the DOJ decided to do their best to drop the case. And the oversight group should not be dominated by Microsoft—they should be allowed only a token representative. Anything less will perpetuate their monopoly, and they have already shown evidence that they intend to become even more "aggressive" than before.

Neil Ratzlaff
393 Staten Avenue
Oakland, CA 94610

MTC-00013681

From: Ron
To: Microsoft ATR
Date: 1/17/02 11:33pm
Subject: Microsoft

First off let me say I think MS is getting off way to easy period. You allow the Giant to continue doing business as usual while they play the wounded lamb. But enough of my personal rants. If MS is going to be giving anything to the community the last thing it should be is products of the monopoly. A large 10 figure donation in cash to the proposed areas would be more inline. Let the scholl admins decide what and when they will purchase with the "MONEY". Its just a shame the DOJ and more so the courts had to be so spineless in this case. Oh well at least maybe some schools will get something out of it because the public at large is getting the usual shaft and someplace at the bottom is the gold that Microsoft will steal anyways.

Ron Richardson

MTC-00013683

From: grouchymike
To: Microsoft ATR
Date: 1/17/02 11:48pm
Subject: Microsoft Settlement

Weak. This will not stop Microsoft from it's predatory practices. As a citizen who has been affected by Microsoft's illegal M.O. I request protection and the availability of freedom of choice.

Mike Davison
714-389-2721

MTC-00013684

From: Brian Meyer
To: Microsoft ATR
Date: 1/18/02 12:01am
Subject: Microsoft Settlement

I do not understand why you are letting microsoft off so easy. Netscape is dead with no innovation in the last few years since aol "purchased them". (And why would aol want a browser, they are competing against browsers. A Company with 88% market share is a monopoly. They crush opponents with lawyers, vaporware. The original software code of windows was stolen wholesale from apple, and from this apple extorted them to support the apple platform with office. They create risk for all entrepreneurs in that they have no qualms about stealing their ideas, but they do not keep running with it, they drop it once the entrepreneur gives up. The innovations they have destroyed have made america stagnate.

Our laws say monopolies are bad and i feel the law is right about this. I believe in business men being able to compete but a natural dominance is 70% market share. Above that and you can gouge the consumer. \$250+ per upgrade, excuse me, this is a software program. Who can afford Office? . . . Or should i say who can afford not to afford it. What happened to wordPerfect. They use the fact that hardware is now as expensive as a toaster to hide their huge markup. PC's should be will beneath 500 for a complete system at this point.

I feel an extremely pro business establishment is turning a blind eye to their monopoly. Their products are poorly written, buggy, prone to hackers and viruses that are extremely easy to write. This causes extreme dangers to american businesses that are dependant on these machines. Competition has been lacking for quite a while and the only group that can restore it is the government.

Yes there are some good points in what they have done, but we would be much better off with a true remedy to a monopoly, the appointment of a governing body to guard the public, a general breakup of the same, or extreme restrictions that cause rapid loss of market share. The entire settlement is a joke, very political, and will have a serious effect on the prosperity of our country.

brian t meyer
brian@printbusinesscards.com
general manager and techie

MTC-00013685

From: Mark and Sheri Hillis
To: Microsoft ATR
Date: 1/17/02 11:59pm

Subject: Microsoft Settlement

I am writing in support of Microsoft and urge you to proceed with the antitrust settlement proposed. We need to end this process and allow Microsoft to direct their energy to what they do best. I believe it is good for the industry and good for the American people.

Sincerely,
Sheri Hillis

MTC-00013686

From: Gerda Hayes
To: Microsoft ATR
Date: 1/17/02 11:59pm
Subject: Microsoft Settlement

This legal action should not have happened. I am in complete agreement and lend my full support to any action that Microsoft brings forth. I appreciate the integration of all Microsoft Products. This frivolous legal action has seriously infringed on initiative and private enterprise. It has gone way passed "reasonable" and it is overdue for closure without punishing Bill Gates for being an intelligent, resourceful entrepreneur in a Capitalistic society.

— gerdahayes@ix.netcom.com
— EarthLink: It's your Internet.

MTC-00013687

From: Matt Craighead
To: Microsoft ATR
Date: 1/18/02 12:02am
Subject: Microsoft Settlement

Dear Sir or Madam,

I am an MIT student in the Class of 2002 studying computer science. I have worked in the computer software industry since 1998, both at a small game development firm in Minnesota and more recently as an OpenGL driver developer at NVIDIA Corporation, based out of California. I have had extensive experience developing software on Windows and on numerous other platforms, and I have closely followed the Microsoft antitrust lawsuit since at least 1996. Early in the lawsuit, you probably could find few tougher critics of Microsoft than me. I despised the company, I despised its software, and I despised its business practices. Indeed, I recall writing an email to the DOJ urging that Microsoft be broken up back then.

However, I have since come to realize that I was wrong.

Indeed, I, like many other Microsoft critics, was rather hypocritical in voicing my opinions. I wasted no time in attacking Windows and other Microsoft products, yet I didn't put my money where my mouth was. I could have downloaded and ran Linux. I could have used alternatives to Microsoft Office. But did I No, I didn't. -In fact, I tried Linux for a short while and quickly came back to Windows, having discovered that Linux was a rather difficult operating system to install, configure, and use, even for a computer-savvy person such as myself. The more Microsoft products I tried, the more happy I discovered I was with them. Most people are familiar with just a few, like Windows and Office. However, for my own software development, I started using Microsoft Visual C++ (MSVC) 5.0 after I received a free copy of it from Microsoft for participating in a computer programming

competition. After the initial learning, curve, I quickly discovered that I greatly preferred MSVC5 to the previous software I had used, Borland C++ 4.5.

It was easier to use and its compiler ran faster and generated better code; and it was much better for writing Windows applications. I recall one application that I recompiled using the Microsoft compiler. To my great surprise, the application ran twice as fast with no effort on my part. I also began to reinvestigate many of my political views when I took an economics course in high school. I frequently argued with my economics teacher about all sorts of issues, and, to my surprise, I discovered that he was frequently right and I was frequently wrong. I discovered, for example, that pollution trading credits were a better solution for all parties involved than were laws that set strict upper limits on emissions. I also began to learn more about the stock market and about business in general. My study of economics has continued though college, both inside and outside the classroom.

I also discovered firsthand, on my first job, that, in the words of George Washington, "like fire, [government] is a dangerous servant and a fearful master." The surprise started when I discovered that taxes are not paid with a check to the Treasury on the following April 15; instead, they're deducted from every single paycheck in advance. I also learned about state laws that, for example, prohibited me from working overtime because of my age, even if I, using my own best judgment as a competent individual, thought I wanted to do so. And where in 1996 I had supported Ralph Nader as a candidate for president, by the 1998 election I was cheering for the Republicans instead.

How does all this relate to Microsoft?

The essential issue in the Microsoft case is: are businesses free to make their own decisions about how to design their products and how to profit off of them, or shall government make those decisions?

For example, Microsoft wishes to put certain features in Windows; other companies object, saying it would be an unlawful use of monopoly power under the Sherman Antitrust Act. I will not address the legal issue of whether Microsoft's actions did or did not meet the standard of the Sherman act; I am not qualified to do so. However, what I do believe I can pass judgment on is the issue of whether it is right or wrong for Microsoft to do what it has done. Microsoft is a corporation, and the purpose of a corporation is to make money; not to serve the public, not to help consumers, not to improve our society. No, in fact, the legal obligation of every corporation is to maximize its own shareholders' wealth, and indeed it should be. The corporation is simply a pooling of resources (those of investors), and those investors have not joined together out of charity, nor out of goodwill to fellow men; their goal is the pursuit of their own happiness—one of the fundamental ideals of our nation, expressed in the Declaration of Independence.

Their pursuit of wealth (and, by proxy, of their happiness) does not harm others. In fact, in their desire to earn as much money as possible is far more likely to benefit others

than to hurt them. For if Microsoft can make a better product, it can sell more of it. Microsoft benefits, because it earns more money. Consumers benefit, because their product is better.

Only a few individuals do not like this picture—those whose own businesses are threatened by Microsoft's actions. Indeed, look at the companies attacking Microsoft—Sun, Oracle, etc.—and you will see that they are, by and large, Microsoft's competitors.

If Microsoft truly drove these companies out of business, would that be a bad thing? No, of course not! For all that would mean is that Microsoft had produced a better product or sold it at a lower price -and so consumers would have benefited. Of course, many of the companies in the lawsuit are in no risk of going out of business; they are merely feeling the competitive pressures of another successful company. This is entirely healthy.

When you look at the actions these companies wish the Department of Justice to take, you can see that they serve to do little other than cripple Microsoft. They want Microsoft to "de-bundle" features—in other words, to put fewer features in. They want Microsoft to not engage in exclusive licensing—yet this is a fundamental element of Microsoft's freedom of contract (and surely these companies don't want their own exclusive licenses revoked!). Ultimately, they want a standard set that if Microsoft wants to put a feature in Windows or pick a price for its products, their competitors and the government must approve of it—a system of crass protectionism.

Fundamentally, Microsoft has harmed no one. Everyone who engages in a business transaction with Microsoft does so voluntarily—by purchasing a product, applying for employment, or signing a contract. Anyone who dislikes Microsoft or Microsoft products or any other aspect of the company can choose to not do so. What would its competitors do? They would restrain people who do wish to engage in such voluntary transactions from making them! So who is involved in the real restraint of trade here? Surely not Microsoft. Instead, we ought to look to those who wish to slap restrictions on Microsoft. I am not saying we should prosecute them under antitrust laws; I am simply pointing this out, illustrating the absurdity of the situation, and the absurdity of the antitrust laws themselves, which claim to promote "competition" by destroying it.

In fact, I believe that the current Microsoft settlement, if anything, is too harsh on the company, not too lenient. I believe Microsoft is innocent of any wrongdoing, and that they should not receive any penalty whatsoever. Yet, there are those who wish to slap yet greater penalties on the company, or even force it to break up. This is highly misguided. The real threat to competition in the computer industry is not the actions of Microsoft, but instead George Washington's "fearful master"—the intervention of the government in a healthy industry where no crime has been committed.

In any case, I must beseech you that, if you do put penalties on Microsoft, you minimize them. I don't believe that companies have an obligation to serve consumers, but at least

consider the people who benefit from Microsoft's market position, such as myself.

Consider Microsoft stockholders, whose \$376.2 billion in wealth is in danger. (For the record, I hold no Microsoft stock.)

Consider the millions who happily use Microsoft software.

Consider all the software developers, such as myself, who are grateful that Microsoft has made Windows into a de facto standard for computer software, rather than having to code for numerous operating systems.

Consider all the money Microsoft pumps into research and development every year.

Consider how Microsoft has been instrumental in building the personal computer industry nearly from scratch.

Consider the role model Bill Gates serves as to millions of Americans -the epitome of the American Dream.

So, please, fight the demands of the 9 state Attorneys General to increase penalties for this innocent company, and instead put your efforts into tracking down the real criminals, violent and nonviolent, of our nation.

Sincerely,

Matt Craighead, MIT Class of 2002
President, MIT Objectivist Club
<http://web.mit.edu/objectivism/www/>

MTC-00013688

From: dizzynoise(a)mac.com

To: Microsoft ATR

Date: 1/18/02 12:13am

Subject: Microsoft Settlement

I'll put it plain and simple:

Microsoft is a monopolistic company that can NOT be trusted. They don't seem to be learning either. Their tendencies have become so BLATANT, and so outright, that they seem to be bragging about it.

Example 1: PocketPC

"Choose the power of Windows. Choose the PocketPC." This advertising campaign is ubiquitous. Microsoft is promoting their PDA's by using slogans like "Use the software you know & trust" and "[program] is like a trusted friend." Even though the Palm OS handhelds (the hands-down direct victim of this campaign) offer full compatibility and in some cases, better compatibility (WordSmith or DocsToGo for example), Microsoft is creating the deceptive image that Palm OS handhelds are not much more than a Memo Pad, and that because the OS on the computer at home is Windows, that the OS on the PDA should be "Windows." Although, unlike Netscape, this isn't a case where Microsoft is beating their technology into the operating system, they ARE using words to do a very similar action.

Microsoft is also doing a bit of deceptive advertising along with the PocketPC campaign. Palm OS handhelds such as the Sony CLIE PEG-N710C & N760C can play Mp3 files, and play converted movie files with stereo sound. Palm OS handhelds such as the HandEra 330, as well as a great deal of the CLIE's also have high-resolution screens, something Microsoft does not even make mention of. Instead, they compare their PocketPC to a significantly lower-priced Palm model, assuming that they all are the same. Yet the PalmOS models that DO compete with the PocketPC in price terms are not listed.

This is simply an example, but it illustrates the point that Microsoft is using deceptive advertising to promote their products.

Example 2: Windows Media Player

This proprietary technology is starting to clamp down on competitive media. Although RealNetworks is holding its own, if nothing is done, Windows Media will head down the same route as Internet Explorer. Unlike the file format Quicktime, Windows Media files are "locked" in the format, and cannot be decoded or exported into other formats. The problem arises when web sites encode media. Windows Media support for the Mac OS is absolutely terrible. . . . to say the least. (then again, Realplayer isn't doing so well, either.) Not all WMP files are viewable, and even then some bizarre things happen when trying to access media off of the internet. Although one might argue that Apple's Quicktime favors the Mac platform, at least Windows users are able to view ALL QT content, not just some of it. And as mentioned earlier, if trouble arouses when sending a home movie to a friend on a PC, the file format is never "locked", so it can be exported to another format. Microsoft is doing a lousy job of multiple OS support, and although I would never expect the Mac version to be as nice as the Windows version, the shoddiness of the product tells me that their chief concern with WMP, is keeping users locked into Microsoft's programs. I should also mention, that Microsoft builds in a "Windows Media" button into the IE browser, as you may be well aware of.

Example 3: MSN & Passport

Microsoft, as usual with their first attempts, hasn't exactly thwarted AOL with their MSN service. But they're now starting to move in for the kill (as with Palm and RealNetworks.)

"There are some things you grow out of, AOL is one of them." Ads like this run like crazy. And I know if I start up IE on a Windows PC, the default page will be MSN.com. When a family member of mine purchased his new Sony Laptop, it came with an MSN internet access disk. Even Apple recommends Earthlink as their ISP, but a big difference with Apple and Microsoft, is that when I install OSX, I don't get 30 reminders telling me I should sign up for an iTools account. Microsoft's .net is Microsoft's goal to dominate the net, in my opinion. Microsoft already controls the browser, OS, Office, and several other categories (not to mention the areas they're currently trying to control), now they want to control people's personal information.

What needs to be done:

Any proposal needs to benefit a neglected group: start-up companies, and standards not controlled by Microsoft. Had Microsoft never set out to milk one more market by crushing companies that pioneered it, people would most likely be using Netscape, Quicktime, WordPerfect / Clarisworks, and companies like Palm would not be hanging by the skin of their teeth, and Netscape would be thriving.

Already facing challenge is the controversial but now "icial" format of Digital Music: Mp3. Microsoft isn't even supporting it (very much) with Windows XP, in favor of. . . . their own, proprietary

format. Although it sounds like "big brother", Microsoft should be BANNED from bundling ANYTHING with their OS, or even remotely "requiring" certain things be bundled due to "proprietary formats" developed by Microsoft. (i.e. Windows Media) The PC makers (Compaq, HP, Dell, Sony, etc.) should solely decide as to what goes with it. Also, the source code of Windows needs to be openly available for developers. Netscape can't even integrate their browser, because Microsoft won't let them! Along with that, more work needs to be done to let other OS's be more compatible with Windows. Java is a great example of this.

One final note. As if Microsoft could be more outright about their desire to become a monopoly, I should mention the "lock-out" of Msn.com people of other browsers experienced (Opera, Netscape, etc.), claiming that the browser's didn't support the page due to the lack of support for certain types of code. Microsoft later admitted that Opera's page rendering ability had nothing to do with it. —

dizzynoise@mac.com

MTC-00013689

From: Ben Wagner

To: Microsoft ATR

Date: 1/18/02 12:21am

Subject: Please prosecute

To Whom it May Concern:

Microsoft is guilty of breaking the law; therefore, they should be punished. I am tired of being forced to pay for an overpriced, substandard product.

Thank you,
Ben Wagner

MTC-00013690

From: John McClain

To: Microsoft ATR

Date: 1/18/02 12:34am

Subject: Comments Re:United States v Microsoft Settlement.

I agree with the judge's ruling rejecting Microsoft's proposed settlement. Their proposal would have allowed them to monopolize the education market in direct opposition to the laws against monopolistic practices. My hat's off to the wise judge and the astute Justice Department lawyers!

MTC-00013691

From: Jim Holmlund

To: Microsoft ATR

Date: 1/18/02 12:39am

Subject: Microsoft Settlement

This settlement is nowhere near strong enough! Microsoft has to be stopped from using its competitive advantage to take over new markets! Have you looked at the Passport part of their .Net initiative? They now want to own everyone's online identity, passwords, credit card numbers, . . . And, they have a good chance of succeeding because their monopoly on PC operating systems and browsers allows them to lure people into their .Net clutches. Also, have you noticed the incredible security holes that constantly pop up in their operating systems (eg, XP) and applications? These will allow malicious hackers and terrorists to bring down any website, or even the whole internet by taking over the PCs of unsuspecting users

and using them as zombies to do the DOS attacks. uSoft can only get away with such callous disregard for the people of our country, and even our country itself because of their monopoly on desktop machines. Please get serious about this and punish Microsoft in accordance to the severity of their past and continuing crimes! Thank you. James Holmlund 73 Erstwild Ct. Palo Alto, Ca. 94303.

MTC-00013692

From: Gail and Fred Follmer
To: Microsoft ATR
Date: 1/18/02 12:41am
Subject: Microsoft Settlement

In January 2000, we bought a new HP Office Jet printer. We were running Windows 98 and everything seemed to be okay. Some time passed and we, my wife and I, noticed that if we were on the internet and wanted to print some information, our PC would hang up (do nothing) until the print operation completed.

We called HP support and they sent us a new/updated print driver—but they were not certain this would fix our system hang problem. It didn't. HP told us to contact Microsoft as they, HP, felt we had some sort of synchronization problem between the print buffering and the 98 operating system. We called Microsoft, its now late April, and Microsoft tells us that Windows 98 is not the "currently supported" environment—we need to be on 98 Second Edition for supported assistance, unless we're willing to pay for support on 98. I ask how much will the support cost? Answer, "don't know, it depends on how long it will take to resolve the problem, but that a minimum would apply. It was pointed out that Window 98SE only cost \$99.00 and fixes many 98 base problems, plus it adds functional support and performance. So we buy 98SE and install it, now I have the same system hang problem and several other problems, but at least they, Microsoft technical support will talk to us free of charge. It's now July, we have various system problems/hangs, even when not attached/connected to the internet. Microsoft tells me we need to download Maintenance level 1, as it fixes many problems. I download and apply Service Level 1 and still have the same printer hang problem, plus a more severe problem that the system periodically hangs for no reason—it doesn't matter what we were trying to do (use the mouse, keyboard, write a letter, search our data base, etc.). Finally in late September, Microsoft determines that I have incompatible levels of various modules within my system and I need to scrub everything and re-install Windows 98SE, then re-apply the SE maintenance package and see what happens—but Windows ME is highly recommended—especially for the home user who wants enhanced multi-media and internet functions. I don't know, more \$\$\$. Anyway, re-installing my system and everything seems to work. The problem, I was told, was that when I was using Windows 98 and the accompanied Microsoft Internet Explorer, then applied the first maintenance package to base Windows 98, I should have UN-INSTALLED Internet Explorer, then applied the maintenance, then

re-installed Internet Explorer. I told them, hey, IE came bundled with 98 when I bought it and I had no choice about its installation nor were there any instructions to un-install IE before installing the Windows 98 maintenance package. My point, their bundling of IE with Windows98 is what caused the problem of me having incompatible module levels—after I applied the maintenance package. But because of the age of my system, I either had to pay for service or pay for an upgrade to 98SE, which didn't solve my problem. I think Microsoft should have been willing to do what they call "problem determination" to determine what the initial problem was (their problem, my problem, or HP's problem) regardless of what Microsoft Windows product and product level I was running. Then once they knew the problem, fee or free resolution could be discussed. My point, they are the only "game" in town and you either do it their way or you don't. One thing for sure, if I had been running Netscape instead of MSN IE I would not have had the problem (we know this because my printer worked fine when connected to my daughter's PC). I don't know if I would have been running Netscape if IE didn't come with my system, but have you ever tried to un-install IE from your system??

Also I don't know if the above is what the anti-trust lawsuit is all about, but I think the whole issue of what's supported and for how long and what's the real problem should be determined before you tell an end-user customer, who's at your mercy, you have to pay for service.

For what its worth, I'm now running ME because I upgraded to an Intel P-IV processor so I had to go to ME to get the function and performance. It's a circle that never ends. Pay me, pay me! Fred Follmer, 276 Fireside Ridge Dr. Dahlonga, Georgia, 30533. 706.219.4835. PS: Here I am complaining, but I no longer have the documentation, HP or Microsoft problem and/or incident numbers, to support my grievance—but thanks for listening.

MTC-00013693

From: Kirk Mueller
To: Microsoft ATR
Date: 1/18/02 12:45am
Subject: Microsoft Settlement

Dear Sirs,

I believe that anything short of breaking Microsoft into two pieces as originally proposed is inadequate to prevent a continuation of Microsoft's monopolistic activities.

Thank you,
Kirk Mueller
El Segundo, California

MTC-00013694

From: C (038) R Kerby
To: mailto:microsoft.atr@usdoj.gov@inetgw
Date: 1/18/02 12:46am
Subject: MICROSOFT SETTLEMENT

TO WHOM IT MAY CONCERN:

It is our belief that the duty of the Department of Justice in anti-trust actions such as the Microsoft case is to protect the interests of the consumer, not the competition which was not wise or aggressive enough to stay in the running.

The consumer, we the people, were never hurt by Microsoft. We were only hurt by the

actions taken against Microsoft by the Government, adding to the decline in the tech stocks, dominoing into the decline in the overall market and contributing to the existing recession.

We believe that the settlement offered by Microsoft is fair and that it should be gratefully accepted, thereby preventing further damage to the consuming public and the economy.

Sincerely,
Charles R. Kerby
Catherine M. Kerby

MTC-00013695

From: J. David Hester
To: Microsoft ATR
Date: 1/18/02 12:55am
Subject: Re: U.S. v. Microsoft: Settlement Information

Why is a monopolist allowed to negotiate terms? I wonder if criminals w/o so much money would be given such "equal protection under the law"? Quit coddling and start 1) dividing up the company, 2) releasing the source code and 3) forcing Microsoft to compete fairly. Or are you too busy helping to protect the President's rear-end from the Enron scandal to put any more effort into this?

MTC-00013696

From: Keith Beavers
To: Microsoft ATR
Date: 1/18/02 1:05am
Subject: Microsoft Settlement
Its hard to grind every ones axe. Please settle as soon as possible.
Sincerely, K.B.

MTC-00013697

From: William Rivas
To: Microsoft ATR
Date: 1/18/02 1:06am
Subject: Microsoft

It is imperative that the Department of Justice NOT accept Microsoft's proposed settlement. It is anti competitive and will only ensure Microsoft yet a greater control of the software world. Companies like Apple would be diluted even further by acceptance of the proposed settlement by allowing Microsoft to implement 1 billion dollars worth of computers to the poor schools. Apple will be hit hard by such a move.

William Rivas
proventserv@earthlink.net
United We Stand

MTC-00013698

From: Michael Leamer
To: Microsoft ATR
Date: 1/18/02 1:07am
Subject: Microsoft Settlement

Thank you for this opportunity to comment on this case. After reading the Complaint, Stipulation and Revised Proposed Final Judgment, and the Competitive Impact Statement, I have a much better understanding of the DOJ's case against Microsoft. I feel that the proposed final judgment is a fair and equitable way to correct the past misdeeds of Microsoft, especially in their dealings with ISPs, computer manufacturers, and other software companies that must interface with the Microsoft Windows operating system. I am of

the firm opinion that the states that are against the proposed judgment but are pushing for more radical treatment of Microsoft, are acting in the interests of corporations or other special interests within each state's jurisdiction that wish to see nothing else but the imposing of restrictions so strict that their solution would in effect, be stifling and anticompetitive in nature. In this pursuit, I do not believe that these states have the interests of the public in mind.

The Revised Proposed Final Judgment would remedy the practices that have brought Microsoft to this trial, while looking after public interests, without unduly restricting Microsoft from pursuing its legitimate, legal business.

Again, I wish to thank you for this opportunity to express my opinions in this case.

Sincerely,
Michael Leamer
mleamer2@swbell.net

MTC-00013699

From: soupruls@mac.com@inetgw
To: Microsoft ATR
Date: 1/18/02 1:13am
Subject: Microsoft Settlement

The tactics used by Microsoft in the recent years, including the "browser wars", were apprehensible at best. By using their dominance as sole provider to 95% of the world's Intel users, it assured itself the top position. It has also begun the same tactics with their .Net strategy, but that is another case. The settlement that Microsoft has proposed is even slimmer than the original deeds that brought about the case. Microsoft, as expressed by Steve Jobs and Apple Computer, Inc. and others, is once again trying to put itself into a market where it does not already have control with their "donated" software. It is known, in fact, as the judge agreed, that the real cash value of the settlement is a fraction of what Microsoft is offering in its own product. How can it be possible for a business to be punished by allowing it to disseminate a new market? This must not be allowed, and my faith in the Federal Judicial system tells me that it won't be.

Jefferson Campbell
concerned U.S. Citizen

MTC-00013700

From: John Nakai
To: Microsoft ATR
Date: 1/18/02 1:13am
Subject: Microsoft Antitrust settlement
comments

10085 South
Wyecliff Drive
Highlands Ranch, CO 80126
January 17, 2002
Renata B. Hesse
Antitrust Division,
U.S. Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530-0001
RE: Microsoft antitrust lawsuit

Dear Renee,

I believe that I recently heard on the radio that proposed settlement in the Federal government's Microsoft antitrust case (where Microsoft would donate \$1 billion in

computers and Microsoft software to the nation's poorest schools) had fallen through. If this is true, I applaud the collapse of this totally inadequate settlement agreement for the following reasons.

First, here is a quote from a TheStreet.com article <http://thestreet.netscape.com/tech/software/10004818.html> on West Virginia's new suit against Microsoft regarding the federal case. "Under that settlement, proposed last month, Microsoft would donate more than \$1 billion in software and computer equipment to the nation's poorest schools. Critics have characterized the proposal as a ploy to increase Microsoft's share of the education-software market, one of the few areas within the software sector where it still faces significant competition, namely from old-time foe Apple Computer (AAPL:Nasdaq). Proponents characterize it as a win-win situation that benefits underprivileged students."

I would like to ask the proponents of this settlement why they think Microsoft should be a winner for the monopolistic antitrust crimes they have committed. I don't think we should be rewarding individuals or corporations for criminal behavior.

Had AT&T come to such an agreement in their federal antitrust case they would not have been broken up. Instead AT&T would have been able to stay a monopoly and would have agreed to providing free long distance to the customers of all its long distance competitors for just long enough to drive its competitors out of business. This settlement would be a windfall reward for Microsoft for criminal behavior, not a punishment. Microsoft's lawyers had found another shrewd way to devastate the competition of their product line in the nation's schools and weaseling out of this antitrust case at the same time.

In the part of this settlement where Microsoft agrees to donate a billion dollars worth of computers to the nations schools, if Microsoft is allowed to make this donation using computers running Microsoft operating systems, or running Microsoft software, then it succeeds in the following.

1. Microsoft displaces other vendor's hardware and software out of the schools. A prime target here is Apple Computer, who maintains a large market share of computers in schools because of their superior ease of use and graphics capabilities. Microsoft will also displace other operating systems such as Unix, Solaris, and Linux, and other application software such as Netscape, Corel, Applixware, Appleworks, Apache, etc. from the schools. As good as the other products are, they can't compete with free hardware and software. It may well put some of these competitors out of business by flooding the schools with free Microsoft products or computers dependent on Microsoft software to operate.

2. Microsoft will force schools to have to buy software from Microsoft for future upgrades.

3. Microsoft will make children come home to their parents saying they need Microsoft software and computers running Microsoft operating systems and software to do their homework.

4. They will make themselves look like the good guys to schools, administrators, and

children who will think Microsoft is coming bearing gifts, rather than buying themselves out of a criminal prosecution. A true public relations victory for the wolf in sheep's clothing.

5. Microsoft does not have to make reparations to the victims of its criminal antitrust crimes and does not get broken up. Instead, Microsoft gets to further steal market share and customer base from it's competitor victims with money that should rightfully be paid to it's victims or the government as a fine.

6. While Microsoft can say it donated \$1 billion dollars worth of hardware and software, let's realize that Microsoft can produce software at pennies on the dollar of retail value, and can surely acquire new and refurbished hardware from PC vendors for pennies on the dollar through any number of sweetheart deals. The true cost to Microsoft of this settlement would probably be less than a third of the advertised \$1 billion value.

As a current user of Windows, Macintosh, Unix, and Linux, plus many others in the past, I can say with expert confidence that while Windows is an acceptable operating system, it still lacks the system stability, virus resistance, advanced features, open source software, and user empowerment of creativity offered by the other operating systems. This settlement could wield a death blow to Apple and possibly others by robbing their customer base. It not only keeps the abusive Microsoft monopoly intact, it strengthens it, leaving the computer consumer world stiffly under Microsoft's thumb.

Microsoft truly needs to be broken at least into two separate companies to separate their operating system business from its application software business. The current structure gives Microsoft continuing opportunity to sabotage competing application software with "incompatibility" changes to it's operating system with each OS revision, and to provide other operating systems with slow, buggy, or otherwise dysfunctional or nonexistant versions of its application software. Its further expansion into internet services with msn.com, and its plans to deny msn.com web service to browsers other than its own Internet Explorer because other vendor's browsers are "incompatible" are further examples of Microsoft's plans to cut out competing vendor's products through the use of its monopoly powers.

My opinion is:

1. Microsoft should still be broken up.
2. Microsoft should not be allowed to flood schools with free computers and software unless the computers are up-to-date Macintosh, Linux, Solaris, Unix, or other non-Windows computers. Any freely provided software should be that of current competitor software (AOL, Netscape, Kodak, FileMaker, Apple, Red Hat, Yellow Dog, ApplixWare, gnu, Sun, etc.) Only then will this settlement make any kind of reparation to Microsoft's victims and aid in discouraging and diminishing Microsoft's monopolistic abuse.

3. Microsoft should not be able to provide free internet service to schools as a part of

any revised settlement, as msn provides good service and up-to-date software only for Windows based computers.

4. If Intel or other PC clone based computers are provided to schools for free as a part of this settlement Microsoft should be required to bar these computers from being activated with Windows XP or other versions of Windows for a period of at least 5 years. This is technically doable at least for XP, as activation of XP requires users to call Microsoft and provide the computer's unique machine ID for activation.

5. An alternative would be to require Microsoft to first pay victim competitors (if they are still in business) directly for damages, and use the remaining funds as described in 2 to 4 above. I hope that you will reconsider separating Microsoft's operating system, application software, and internet operations into three separate companies to promote fair competition for the benefit of all of us, and totally drop plans of this incredible competition devastating free giveaway of computers to schools unless they conform to restrictions like I mentioned in 2 to 5 above.

Thank you for your time in reading this,
John Nakai

MTC-00013701

From: Christian DIDELOT
To: Microsoft ATR
Date: 1/18/02 1:12am
Subject: Microsoft monopoly

As a computer user forced to use Microsoft products due to their monopoly on the market, I urge you to take decisions and steps to enforce US federal anti-trust law and to continue suing Microsoft for the anti-concurrency practices.

Thank you for your help.
Christian DIDELOT
1201 Geneva—Switzerland

MTC-00013702

From: Craig
To: Microsoft ATR
Date: 1/18/02 1:21am
Subject: Microsoft Settlement.

I feel the Microsoft settlement recently discussed (\$1 bil of educational computers) was so inappropriate that I began to lose faith in the process. As a consumer, and multimedia developer I use both Macintosh and PC (Windows) computers. Microsoft's insistence in making the world comply with it, rather than it complying with industry standards affects me both professionally and personally. They seem to operate unilaterally, ignoring what is in the best interest of IT professionals, creative developers, and consumers. I believe they use their market dominance to bully everyone that stands in their way.

Microsoft:

1. Tries to co-opt Java, adversely effecting both web site visitors and developers. MS is clearly trying to destroy any computing standards other than its own proprietary standards.

2. MS Explorer pops up warning screens about "dangerous scripting" whenever I try to view a quicktime file (again, quicktime is an competing but extremely popular file format). This also dramatically affects me as a developer.

3. Maintains monopolies in word processing, spreadsheet, and business presentation software (Word, Excel, Powerpoint). This monopoly is not limited to the PC—but also impacts the Macintosh world. Microsoft's persistent bullying in the past, and with other enemies—and "partners" makes me suspicious that they can coerce Apple computer anytime they really want to.

MS has seemed to steamroll everyone—including the government. I strongly support significant punitive charges(\$), as well as the partitioning of the company into discrete business entities.

Thank you
Craig Wall
Access2
1396 S York St.
Denver CO 80210

MTC-00013703

From: Donald S. Casey
To: Microsoft ATR
Date: 1/18/02 1:22am
Subject: microsoft settlement

i have read the terms of the settlement concerning the company. Microsoft. i have followed the case and have followed the company for many years. it is fairly obvious that Microsoft, the company has one goal, that is to be the biggest and only software company for PC's. i think this is the definition of the word monopoly. as to their business practices, even they admit to being monopolistic at times. yes it is convenient to have a common operating system for PC's, and yes it is convenient to have a common source for software to use on these PC's. However, it is not in the best interest of the consumer or the operators of PC's to have only one option for software and for operating systems. it has been shown time and again that the pressure of competition fuels innovation and improvements in any endeavor and as to the fairness of pricing and distribution of product under a monopoly, that doesn't even need to be stated it is so obvious. so why this settlement? that is the only question, why the terms of this settlement which will allow Microsoft to essentially operate as is???????

don casey

MTC-00013704

From: CHip Flinch
To: Microsoft ATR
Date: 1/18/02 1:38am
Subject: Fair Justice

Microsoft should pay damages to companies that were crushed in unlawful acts.

1. I think a fair settlement would be for the US govt. to stop using microsoft products in a stance for the right and lawful thing to do. Use some sort of open source software. APPLE OSX would be a safer and cheaper option for our govt.

2. Make microsoft pay 5 billion cash to the schools of this country for their own choice of use for technology. Suggest they buy apple products instead.

This would be a fair punishment. It would open the door for competition and the most monopolized company a chance to compete on a level playing field.

MTC-00013705

From: Jerry Rakar
To: Microsoft ATR
Date: 1/18/02 1:42am
Subject: Microsoft suit

Hi:

I noticed a site with the info about the Microsoft antitrust suit. I wondering why the various Federal agencies never went after Microsoft as some legalities go after car sales or car manufacturers for "lemon laws" for problem vehicles and forced recalls. The reason I bring this up is that fact that Microsoft has been selling flawed products for all these years with known bugs. Then bugs are sometimes taken care of IF you buy their new version that fixes the bugs (and normally has more).

That is like car dealers selling a product with a problem (and no recall is done) and says the problem will just be corrected in the current model IF you buy it. Just thought I would send you a thought to ponder (and hopefully can pass it on the agency who can act on it :-)

Thank you for your time,
Jerry

MTC-00013706

From: MBartle481@aol.com@inetgw
To: Microsoft ATR
Date: 1/18/02 1:50am
Subject: Microsoft settlement

We would like to comment about microsoft litigation.

1. We think the law suit has been going on too long, wasting tax payers money. Nobody especially public will benefit from this lengthy court process but the lawyers. Microsoft will have to spend more and more for their lawyers and in return will have to get those back from consumers by raising the price of their softwares.

2. It seems to us what the government is doing not for the consumers benefits but for Microsoft competitors' benefits. We use window operating system because we like it even though we were given choice when we bought our new computer. We also have both internet explorer and Netscape but we use internet explorer more. We never feel that Microsoft inhibits us to choose anything, besides it makes easy for us to have internet explorer comes with the operating system. We are share holders of microsoft, oracle, Sun microsystems and AOL but that isn't the issue.

3. Microsoft settlement to provide fund and computers and softwares to public schools is good thing. Apple is not happy because they dominate the school system. Why isn't it a monopoly issue for Apple? It's a free market, let's the students decide what they like.

4. What the government try to control Microsoft is the worst thing that can happen to new innovation. Please let the companies compete freely in the open market allowing consumers to choose what they want not what the department of justice mandates.

Sincerely,
Mirin Bartle, M.D.
Thomas R. Bartle, D.D.S.

MTC-00013707

From: Jeanette
To: Microsoft ATR

Date: 1/18/02 1:52am
 Subject: Microsoft Settlement
 Jan 15 2002

Your Honor:

I wish to take just a few minutes of your time to express my views regarding the pending action you will take on the issue before you : Proposed Final Judgement re: Microsoft I would implore you to look at this situation in a true ethical American way. If you should, you will find your decision very easy to make.

This country is founded in the ethics that all are created equal and have the same rights. Success, such as Microsoft has had, does not give them the liberty to dominate the software technology market just because they have the bucks to be the big Daddy. The kids need a chance to succeed as well. America thrives on competition.

Please allow America to continue to provide a fair market place for the smaller guys. Please do not make "Money makes might" right. Personally, I like Microsoft and hardly use anything else. BUT—please don't choke the others out. Please retain my right to have a choice!!! I am a 52 year old professional—Registered Nurse with a Master's in Nursing and hopefully, soon to be a Nurse Practitioner.

I was raised as a janitor's daughter. I have lived and traveled all over the world. I have spent 18 years as a single Mom, raising two fine boys from the ages of 7 and 5 at the time of their father's unexpected death. I know hardship and grief. But I look to you to make sound decisions in cases like this where politics go out the window and common decency rules. I look to you to do this to maintain my faith in this government and country—to give me a sense that my personal sacrifices paying taxes and supporting this country are validated and worthwhile.

You really don't have a choice if you are to maintain what the terrorists, anarchists, and other NON-law abiding folks would take from us: our integrity and purpose as a nation: FREEDOM. Please rule in favor of the small guys. The regular folks. Please don't strangle their chance to make a living—let alone a bust!!

I pray for God's peace and blessing in your life. He has afforded you this authority in our beloved country. Please exercise prudent and fair judgement.

Sincerely,
 Jeanette Jones, RN, MN
 2645 I Street
 Springfield, Oregon 97477
 541-915-6060

MTC-00013708

From: Paul
 To: Microsoft ATR
 Date: 1/18/02 1:54am
 Subject: Microsoft Settlement

Microsoft again demonstrates utter disrespect and mockery for the judicial process by proposing a settlement which not only minimizes their punishment but also extends their monopoly power and hurts the very companies they have exercised this power against for so many years. Microsoft should pay damages to Netscape, Sun, and Apple. They should also pay several billion dollars to schools with which the schools

would have to purchase Apple computers. Finally, Microsoft should be broken into a "Windows" division and a "Applications" division. They should be made an example of.

Paul Games
 430 Brunswick Dr.
 Vallejo, CA 94591

MTC-00013709

From: Michael G. Jones
 To: Microsoft ATR
 Date: 1/18/02 1:58am
 Subject: Microsoft Settlement

As the principal of an elementary school that uses computers, I wish to protest a decision that would inject MS software into the schools. Such a decision would extend and expand the dominance of the Windows OS and MS software. It would be highly ironic that the judicial solution to an anti-trust case would serve to increase the Microsoft monopoly.

Michael G. Jones
 Alianza Charter School
 440 Arthur Road
 Watsonville, CA 95076
 Web Site: <http://www.alianza.k12.ca.us>
 Work: 831-728-6333
 Cell/VoiceMail: 831-332-9754
 Fax: 831-480-5882

MTC-00013710

From: Bob McCord
 To: Microsoft ATR
 Date: 1/18/02 2:06am
 Subject: Microsoft Settlement

To Whom It May Concern:

I am a manager of a Silicon Valley startup and would like to quickly express my concerns about the Justice Department's Proposed Final Judgment in the Microsoft Antitrust case. It seems that the PFJ does not adhere to the U.S. Court of Appeals decision that any government settlement should have three elements:

1. Terminate Microsoft's monopoly.
2. Deny Microsoft the profits of its past violations.
3. Prevent any future anticompetitive activity. To protect consumers and small competitive companies from monopolistic entities such as Microsoft, I believe that the elements proposed by the U.S. Court of Appeals should be followed.

Sincerely,
 Bob McCord
 858 Apricot Avenue
 Unit E
 Campbell, CA 95008
 (408) 371-0768

MTC-00013711

From: Richard Motofuji
 To: Microsoft ATR
 Date: 1/18/02 2:13am
 Subject: Microsoft Settlement

Hi,
 I, for one, would like to see Microsoft heavily punished for their anti-competitive tactics. They have used unethical tactics and have leveraged their market dominance to pressure other companies, both partners and competitors, into furthering their monopolistic strength.

I believe the computing world would have been a better place if Microsoft had not

crushed various competing platforms. Here are some of the most glaring examples:

1. Netscape would probably have thrived as an alternative web-based computing platform, had Microsoft not tied Internet Explorer to Windows. Instead, Netscape lost market share and momentum.

2. IBM's OS/2 operating system was technically superior to any of Microsoft's OS products. Regrettably, IBM was pressured into stopping the development and shipment of OS/2 by Microsoft.

In addition, although it may not affect the judgement of a truly objective court, it is clear that Microsoft has not been forthcoming when producing testimony or evidence in court:

3. Bill Gates' testimony consisted of obvious stalling tactics, clear hostility toward the prosecuting attorneys, and far too many claimed memory lapses. It is clear to me that he was hiding facts and attempting to avoid answering embarrassing questions.

4. Microsoft produced falsified evidence in the form of a videotape purporting to show that it was impossible to extract Internet Explorer from Windows 98. So, although Microsoft has mounted a public relations campaign to plead its case, we are left with a monopoly that not only controls the vast majority of the business and home computing market. Microsoft is now attempting to enter into the home video console market and has recently purchased the most of the intellectual property of SGI (formerly Silicon Graphics.) Microsoft has also attempted to co-opt the Java programming language, and others, by creating their own variants that will only interoperate with the Windows OS. The sheer market share of Windows could cause Java to lose its cross-platform interoperability to become yet another proprietary

Microsoft API.

I believe that with alternative platforms such as Netscape and OS/2, the computing world would have been a better place. Microsoft would have had to compete on the ease-of-use, security, and reliability fronts. Now, with no major competitors, we are left with Microsoft products that are difficult to use, have an enormous number of security vulnerabilities, and are crash-prone.

To me, it is clear that Microsoft has broken anti-trust laws. It is also clear that they have not fully cooperated with the Department of Justice. And it is clear that their tactics have not changed at all since the period under scrutiny in the Department of Justice anti-trust trial. Microsoft must be punished harshly for their actions, and they must not be allowed to act so arrogantly ever again. I think that a separation of the Windows and application program groups would be appropriate. A physical separation of the two groups, to different states, would also be necessary.

Thank you,
 Richard Motofuji
 rich@mac.com

MTC-00013712

From: Alp Onalan
 To: Microsoft ATR
 Date: 1/18/02 2:15am
 Subject: Microsoft Settlement

Dear Sir, Madam,
I think the current settlement a great innovative way to benefit both the society and the involved parties on the antitrust trial.
Regards,
Alp Onalan
Get your FREE download of MSN Explorer at <http://explorer.msn.com/intl.asp>.

MTC-00013713

From: Tifreymartin@cs.com@inetgw
To: Microsoft ATR
Date: 1/18/02 2:19am
Subject: Microsoft Settlement

Dear Judge,
I understand that you are reviewing the Microsoft case. I've been following this case for the past year or so and have been discouraged by Microsoft's seeming ability to abuse antitrust laws. I've been disappointed as I've watched them violate the free market by trying to manipulate it. Though I have always been impressed with Microsoft as a corporation, I'm discouraged by this. Thank you for your consideration.

Tiffany Martin
(323) 465-0177
1460 N. Mansfield Ave., #105
L.A., CA 90028
CC:microsoftcomments@doj.ca.gov@inetgw,dkleinkn@yahoo. . .

MTC-00013714

From: Eddie
To: Microsoft ATR
Date: 1/18/02 2:23am
Subject: Microsoft Settlement

To Whom it may concern,
After review of the documents regarding the proposed settlement by Microsoft it is my belief that allowing Microsoft the donate it's own software as a viable means to settle this matter is a joke. All that does is put more of their product into a market that is already monopolized by them.

It is my feeling that any settlement should be paid in cash or a manner that allows the recipient of the award to do whatever they want with the funds received. Having a cash settlement would allow the receiver to purchase products from any vender they want which would help spread the wealth to other venders besides Microsoft. It seemed that the goal of the lawsuit was to change the monopoly influence of Microsoft not to encourage it further.

Thank you for allowing me to express my opinion
Eddie

MTC-00013715

From: glensh@juno.com@inetgw
To: Microsoft ATR
Date: 1/18/02 2:29am
Subject: Microsoft Settlement

Gentlemen & Ladies I regards to this suet brought by the 10 +or— states about the way Microsoft runs its business, I think it's a terrible waste of government time and our tax dollars. I am 71 years old and have been a computer user for about 16 -18 years. I've owned 3 different PCs and they have all used MS operating systems. When I got the last one I decided to use E-mail and later to have an Internet connection. My E-mail goes through Juno.com and my Internet is through A T & T. I have had no trouble changing

services. I changed from MSN to A T & T because it was less expensive.

I sincerely hope that this action can be terminated.
sincerely
Glen S. Hawley

MTC-00013716

From: Dimitria
To: Microsoft ATR
Date: 1/18/02 2:35am
Subject: Microsoft Settlement

To the U.S. department of Justice: As A U.S. citizen and user of Microsoft products I urge you to proceed with the approval of the Microsoft settlement as it has been drafted and approved by most parties involved so that this matter can be put behind us.

Sincerely,
Dimitri Alevizopoulos 52 E. 15th Ave, #L1
Columbus OH 43201

MTC-00013717

From: Krista Walton
To: Microsoft ATR
Date: 1/18/02 2:39am
Subject: Microsoft Settlement

Dear Judge,
Approving the PFJ for Microsoft would be deceptive to the public, after all the open controversy regarding Microsoft's monopoly in the computer industry. Not only that, it would be detrimental to the free market idea that America's economy is based upon, and it would seem to grant special preference towards Microsoft and instigate a lot of controversy. Thank you for the time you are taking to review the public's opinion about this important decision you will have to make. I'm sure it will be the right one.

Krista Walton
614 West 35th Place #418
Los Angeles, CA 90089

MTC-00013718

From: Douglas Norton
To: Microsoft ATR
Date: 1/18/02 2:48am
Subject: Microsoft Settlement

I am a former Windows OS user. I do still use Microsoft products when they are available for Mac.

I think Jackson was correct in his findings. Microsoft is guilty of abusing it's current position of being the dominant OS.

I think they are also guilty of fraudulent advertising. They mislead the unknowing public to believe their product is secure and stable. I had such bad experience with MS over the years with their "upgrades" that I finally gave up.

You would do the public a great disservice if you let MS get off too easy. Please do not let the settlement which they were to donate software and computers to schools go thru.

This would only hurt competing OS's

MTC-00013719

From: LARRY BALOK
To: Microsoft ATR
Date: 1/18/02 2:50am

Dear Sir; I think it is time to settle, let's get on with it. L.S.Balok

MTC-00013720

From: Dona M Herr

To: Microsoft ATR
Date: 1/18/02 3:06am
Subject: settlement

Settlement should be fast & fair..... Am in favor of microsoft..... Please cast my vote/voice with myriads of others

Sincerely,
Dona Herr
521 Nelson St.
98284

MTC-00013721

From: Lindsay Rutter
To: Microsoft ATR
Date: 1/18/02 3:18am
Subject: Microsoft Settlement

Dear Judge,
I don't know much about law and politics (though I'm learning), but I know that our economical system is based on free enterprise. If Microsoft is given a monopoly over the computer market, that is the antithesis of free enterprise. I don't see how there could be ANY reason to grant such a proposal. I mean, Microsoft does rule the market, so there seems like there can be no possible competition, but how would we know if we don't encourage small computer developers? A monopoly is wrong, and that's that.

Thank you.
Lindsay Rutter 213-764-4146
USC student

MTC-00013722

From: Regina Ragan
To: Microsoft ATR
Date: 1/18/02 3:36am
Subject: Microsoft Settlement
CC: microsoftcomments@doj.ca.gov@inetgw

Dear Judge,
I am a middle school teacher, and only have recently gotten comfortable working on a computer for any mason besides using a word processor. When my daughter Lindsay told me about this campaign, I thought I should participate. I try and teach my students to be fair and to challenge them to create. If there was no competition for Microsoft, I think it would stop the growth of the computer industry. You do not run a race by yourself, you out run opponents. If there were no opponents, you could not compare yourself to others and improve. This Proposed Final Judgement is wrong and should not be approved by you, Judge Kotelly, it goes against the free market ideals that our democracy is partly founded upon. Thank you for your time.

Sincerely, Regina Ragan Guam Department of Education
Box 10 1015 Turner Rd. Piti, Guam 96915

MTC-00013723

From: Austin Fusilier
To: Microsoft ATR
Date: 1/18/02 3:44am
Subject: Microsoft's Proposed Settlement
To Whom It May Concern:

Allow me to review the facts.
(1) Microsoft has been ruled to have been in violation of the anti-trust laws. (Basically, Microsoft has a virtual anti-competitive monopoly over the PC industry).

(2) Microsoft proposes that it give massive amounts of computers and software to the

educational area of the PC industry. (The only portion of the industry that they do not have an iron-clad grip on). It seems to me (a rational human being) that this course of action will not only NOT put a halt to Microsoft's illegal business practices, it will allow them to FURTHER said practices, by further saturating the market with their software.

The monetary "penalty" suggested is both laughable and negligible. Microsoft is one of the wealthiest corporations in the world—their finances are in no trouble whatsoever. They can easily absorb whatever funds would be used to distribute their PRODUCT. In fact, from a business point-of-view, the "fines" could be viewed as an investment in the future proliferation of the company's reach.

In short, I, a voting citizen of the United States, am ABSOLUTELY OPPOSED to this settlement proposed by Microsoft. I believe that it not only would undercut whatever legal actions were taken, the mere fact that it was offered is (I believe) a complete insult—a very revealing glimpse into just how much CONTEMPT the Microsoft corporation has for the United States" Legal System.

I thank you for the opportunity to share my opinion on the subject, and I pray the correct decision will be made—the choice that upholds the integrity of the United States" Judicial Branch, and not the option that FURTHER destroys the solid foundations that the courts were built on.

Brent Austin Fusilier

MTC-00013724

From: Thomas D. Kampp
To: Microsoft ATR
Date: 1/18/02 3:51am
Subject: Microsoft settlement
Renata B. Hesse:

I have recently noticed that two Web sites that used to function properly no longer do so. The two sites are <http://www.businessweek.com> & <http://www.mapquest.com>

Common problem: After going to these Web sites, mouse clicks or data entry is not responsive, followed by the browser becoming quite slow in responding, even if one switches to another Web site. Also, pages do not completely load; the Home page only loads an ad at the top of the page with the rest of the screen blank and a message at the bottom reading Done. The only fix is to quit & then restart the browser. These sites are not authorized to download any code or data-stream that disables or interferes with any of my applications, programs, or files.

My computer is a Macintosh PowerBook G3 FireWire running Mac OS v 9.1 running Netscape v 4.76 browser & Eudora v 5.1.0 e-mail client. I may be wrong, but I suspect that the above sites may be using Microsoft software. If so, then I strongly suggest that you consider the case that Microsoft not interfere with programs, applications, and files that conform to open standards. In other words, Microsoft should not be allowed to break nonMicrosoft code, programs, applications, files, or interfere with computer operations. I, for one, do not consider their behavior as a benefit to consumers.

Thank you for your time and consideration.

Dr. Kampp
Thomas D. Kampp, Ph.D., DABR
e-mail: kampp@acm.org
Tel: 949 395-6245

MTC-00013725

From: kellyc001@attbi.com
To: Microsoft ATR
Date: 1/18/02 4:01am
Subject: Microsoft Settlement
Gentlemen,

The proposed settlement, plain and simple, is another way for Microsoft to attempt to dominate yet another segment of the American computer market, namely education. It is entirely consistent with MS's previous tactics of gaining a foothold in certain markets to the degree of excluding choices for the end user. The end user who is then firmly entrenched in MS's products to the degree that it becomes difficult to adopt other choices without great disruption or costs. It is an attempt to dominate, not through QUALITY, or by choice of the end user, but by SATURATION.

Did anyone doubt, that when MS began imbedding its own web browser within its MS Windows 95 operating system, that 90 percent of the American computing public would go through the effort and hassle of removing it (made nearly impossible by MS) for the sake of installing a web browser from a competing company?

Once Microsoft has donated (used) computers and (conveniently) thousands of copies of THEIR software to schools, the typical and predictable reaction is for those schools to continue to use MS's products in the future. Not because of free choice on their part, but because it would be too disruptive to look to other alternatives. Is Microsoft sincerely concerned about devoting resources to poorer inner city education? Or is MS trying to further its monopoly? The simple answer would be for you to ask Microsoft to donate the same amount of APPLE Computer Macintosh systems and software to those schools, and watch as MS does an about face so quickly that a giant sonic boom rumbles thru-out the land.

Would the US justice system allow a person convicted of counterfeiting US dollars to pay thier fines using the same counterfeit bills as they were convicted of printing? Gentlemen, this company is thumbing it's nose at the antitrust laws of this country, and at YOU. It is doing it in such a blatant manner that Im shocked to see this offer even being CONSIDERED. Please do not allow this monopolistic giant to put a stranglehold on ever more of this country's computers under the guise of "paying its penance" To do so would be to allow MS to be punished by gaining even more market share.

Thank you,
Kelly Cederholm
Regards, Kelly

"The only time Microsoft will ever have a product that doesnt suck, is the day they start selling vacume cleaners"

CC:sandra.cederholm@utah.edu

MTC-00013726

From: Margaret Flint

To: Microsoft Settlement

Date: 1/17/02 9:59pm

Subject: Microsoft Settlement

Margaret Flint

1756 H. H. Rd.

Fonda, NY 12068

January 17, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Margaret Flint

MTC-00013727

From: Mary Krystyniak
To: Microsoft Settlement
Date: 1/18/02 12:47am
Subject: Microsoft Settlement
Mary Krystyniak
5845 Townhouse Lane
Beaumont, TX 77707
January 18, 2002
Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Mary Krystyniak

MTC-00013728

From: James Boyd
To: Microsoft Settlement
Date: 1/17/02 10:19pm
Subject: Microsoft Settlement
James Boyd
2706 CR 108
Carthage, TX 75633-5507
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

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Thank you for this opportunity to share my views.

Sincerely,
James Boyd

MTC-00013729

From: Debbie Turner
To: Microsoft Settlement
Date: 1/17/02 8:46pm
Subject: Microsoft Settlement
Debbie Turner
2690 Throatlatch Lane
Marietta, GA 30064-4467
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Debbie Turner

MTC-00013730

From: Jean Rogers
To: Microsoft Settlement
Date: 1/18/02 3:05am
Subject: Microsoft Settlement
Jean Rogers
3845 Shore Blvd.
Oldsmar, FL 34677
January 18, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Jean Rogers

MTC-00013731

From: Don Detherow
To: Microsoft Settlement
Date: 1/17/02 9:46pm
Subject: Microsoft Settlement

Don Detherow
7304 Russellville Rd
Bowling Green, KY 42101
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Don and Glenda Detherow

MTC-00013732

From: Debra Baptist
To: Microsoft Settlement
Date: 1/17/02 8:18pm
Subject: Microsoft Settlement
Debra Baptist
2600 N. 5th Street
Harrisburg, PA 17110-2012
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Debra A. Baptist

MTC-00013733

From: Eric Cheatwood
To: Microsoft Settlement
Date: 1/18/02 3:00am
Subject: Microsoft Settlement
Eric Cheatwood
86 Austin Street #208
Worcester, MA 01609-2956
January 18, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Eric Cheatwood

MTC-00013734

From: Gregory Lane
To: Microsoft Settlement
Date: 1/17/02 8:10pm
Subject: Microsoft Settlement
Gregory Lane
2667 Alostia Street
San Diego, CA 92154-4202
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Gregory G. Lane

MTC-00013735

From: Todd Biagioli
To: Microsoft Settlement
Date: 1/17/02 9:38pm
Subject: Microsoft Settlement
Todd Biagioli
3637 Radford Street Apt A
Norfolk, VA 23513
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Todd Biagioli

MTC-00013736

From: William Campbell Sr.
To: Microsoft Settlement
Date: 1/17/02 9:51pm
Subject: Microsoft Settlement
William Campbell Sr.
1328 Woodlawn Street
Punta Gorda, FL 33950
January 17, 2002

Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Rev. Wm J. Campbell Sr.

MTC-00013737

From: Donald & Kathryn Johnson
To: Microsoft Settlement
Date: 1/17/02 9:29pm
Subject: Microsoft Settlement
Donald & Kathryn Johnson
2154 East Dallas Drive
Terre Haute, IN 47802-5133
January 17, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Donald & Kathryn Johnson

MTC-00013738

From: Steve Bumgardner
To: Microsoft ATR
Date: 1/18/02 4:56am
Subject: Microsoft's EULA

So, why is it OK with the federal government for Hewlett Packard and Microsoft to force me to buy a copy of Windows? I know for a fact that I've been stolen from (and the Microsoft EULA is a one sided lie). I'm just wondering why the government doesn't care.

What kind of kick back did you guys get?

MTC-00013739

From: GotKB@aol.com@inetgw
To: Microsoft ATR
Date: 1/18/02 5:20am
Subject: Microsoft Settlement

I believe that Microsoft has intentionall built up it's Windows operating system to eliminate the competition. They knowingly release products that are incompatible with certain types of software in an effort to further their infiltration of the consumers home, by getting children used to using a Windows based PC at early age, they are making the consumer identify with their brand, and continue to use Windows based PCs in the future. A more viable alternative would be to fund competitors, or 3rd party software manufactures looking to create applications for Windows (such as an Internet Explorer alternative or support for Linux). I appreciate the government allowing the public to voice their opinion, and look forward to future opportunities.

Sincerely,
Brian Konar

MTC-00013740

From: Warren-Albert Weber
To: Microsoft ATR
Date: 1/18/02 5:37am
Subject: Microsoft settlement

What are you thinking?????

Accept an offer from Microsoft to supply schools with free software (read: bury Apple)? Let them go on unabated? Slap them on the wrist and go "Tsk, tsk, naughty, naughty"? Why in the hell was there a lawsuit in the first place, morons? MICROSOFT MUST BE REIGNED IN! PERIOD! No less than the the future of software inovation depends on it, make no mistake.

MTC-00013741

From: lm
To: Microsoft ATR
Date: 1/18/02 1:37am
Subject: memo

Hello ,

It is a horrible misunderstanding of the point of the suit in the first place. Microsoft

is a monopoly and has used that monopoly position to force others out of business or to bend to fit their desires."

Best regards,
michael
mailto:lm@ipssr.kiev.ua

MTC-00013742

From: Claudio Rossetto
To: Microsoft ATR
Date: 1/18/02 5:54am

Subject: Microsoft Settlement

Simply I agree Sun Microsystems position on the case.

Claudio Rossetto
e-mail: crossetto@mail.graphite.it

MTC-00013744

From: Gregg Christman
To: Microsoft ATR
Date: 1/18/02 7:03am
Subject: Microsoft Settlement

Dear DOJ:

I am very concerned the way you are punishing Microsoft. Microsoft is a successful company because they create products that consumers and businesses want to purchase. No one is putting a gun to their potential customers and saying you must purchase Microsoft products.

Microsoft doesn't have a monopoly on software. Sometimes I don't think the government lives in the real world. For example, I am a professional salesman and I pack a bag everyday and go out and call on potential customers. My customers purchase my product because I sell them the product based on the features and benefits they will receive by using my product the same way Microsoft wins customers at the end of the day. Another key point that you need to consider is this ridiculous lawsuit is costing the government billions of dollars of lost revenue because the stock is severely depressed because of the lawsuit and is having an adverse effect on our economy. This lawsuit needs to be ended and we need to get back to business and getting our economy moving forward.

Gregg Christman
greggchristman@earthlink.net

MTC-00013745

From: James Saunders
To: Microsoft ATR
Date: 1/18/02 7:32am
Subject: Microsoft Settlement

Let's stop wasting money and energy on this ridiculous lawsuit. The truth is consumers have benefited mightily, as has the entire economy from the hard work and tenacious efforts of Bill Gates. Persecution of such hard work and success is unbelievable to most reasonable people. It is time to put the lawyers out of business. . . . take a look at what they are doing to American business with asbestos lawsuits. . . .no one wins but trial lawyers. No one will win by crushing Microsoft, especially the consumer. Please consider dropping any further action. Sincerely, Pat Saunders (Very satisfied Consumer)

MTC-00013746

From: Marcus Mackey
To: Microsoft ATR
Date: 1/18/02 7:43 am

Subject: Microsoft Settlement

As a 26 year old college alumni, I've been using computers for a large portion of my life. From the Commodore 64/128 to the Apple II to various PC's (my own and schools), Mac's (my own and schools), my old Commodore Amiga, and even onward and upward to Unix, Linux, et al. As someone that's used multiple platforms, I can honestly tell you that the state of the computer industry has been a fallacy for numerous years due to lack of government intervention into anti-competitive business tactics.

The previous settlement with Microsoft, in which plans were designed to bring hundreds of thousands of Windows PC's into the lower income schools where a lack of equipment puts them lightyears behind what other students has initially sounds like a good idea. That is until you consider the fact that this exacerbates the problem, allowing Microsoft to get away with further improving their marketable stance, weaseling their way into a market that is currently held by one of their largest and fiercest remaining competitors; Apple.

With this said, what do I perceive should be done? For one, Microsoft should not be sent on their merry ways with a slap on the wrist. If they have been found to be guilty, allowing them to go on with a minimal settlement will do nothing other than strive them of cash that as a billion dollar company, is a mere slap on the wrist. The originally proposed plan to split Microsoft still at this stage sounds like one of the only solutions to bring any form of sanity into the U.S. And International computer economy.

This is becoming and ongoing, outward moving, and even larger threat as Microsoft, like a plague, continues to expand, grow, attempting to conquer, quell, crush, and destroy any semblance of competition that stands in their way. From their efforts at releasing a game console to beat Sony, to attempting to knock off 3Com's spun-off Palm division. To attempts at beating Apple, attempts to destroy what remaining computer makers that exist outside of their reach as in the recently publicized anti-competitive tactics Microsoft took against Silicon Graphics (SGI), and most recently in an article published on The Register, their purchase of much of SGI's 3D graphics standards, which allows them to destroy the OpenGL standard and ultimately work at pushing Microsoft's own Direct3D as the progenitor, not via competition, but via conquering. The gloom nature of the OpenGL purchase is such, that Microsoft will have complete control over all 3D standards, including the OpenGL standard which companies such as Apple, SGI themselves, and various game card developers have depended on. Apple of which has integrated the OpenGL architecture into their latest operating system, and one of the last major competitors to the Windows franchise, in Mac OS X.

Microsoft's Internet Explorer has all but killed off and rendered Netscape a shadow of what it was, via highly anti-competitive practices. Opera is but a miniscule player, as are browsers such as iCab, and OmniWeb, which are both Macintosh specific browsers

further miniaturizing their competitive abilities. Noone can compete against Microsoft in key areas where they bully their way in.

Whose left? Sun Microsystems, who painted into a corner watches as the onslaught of Microsoft, Intel (another anti-competitive and monopolistic player over the years), Dell, Compaq, and others continue to attempt to widdle away at Sun's marketing edge, using more scalable versions of Windows to attempt to do what Solaris can. SGI, which is quickly eroding away into nothing, amidst uncertainties, slow sales, and inability to retain it's focus for any semblance of a future lies struggling, writhing to reclaim some semblance of ability to compete. Apple, funded by Microsoft, dependant on Microsoft products like Word, Excel, Powerpoint, and Internet Explorer; and ability to integrate into PC-controlled MS Exchange servers to use Outlook, Entourage, or Outlook Express to connect. How does Apple survive under these premises when competitors independent now suffer, struggle, writher, and look at the grim potentials? This is why, as the DOJ, it is your imminent obligation to "PROTECT" the economy, the people of this great nation. If Microsoft does take control, which they're already well on the way to doing (as they already dominate the market as it stands), they can stifle any semblance of innovation, control pricings far worse than they do now, and ultimately turn this country into a country whose economy, once largely based in computers, sits wrenching and bellyaching; as the potential to slay the monolithic dragon Microsoft could become in their anti-competitive ability to lie dormant, stagnant. Keeping Microsoft on their toes, forcing them to innovate rather than duplicate, then bully via their massive heft to assure that the market remains theirs. It is time for a computer world with a decisively larger marketshare. One with more than Windows. One that allows companies like Apple, Sun, HP (via HP/UX), SGI, IBM (via AIX), Palm, et al. To compete against Microsoft on all levels. To not allow Microsoft to win by default via bullying, beating, and pounding their competition to death.

Is having the world of computers tied to a single company healthy? From the Melissa virus, to various worms, to the problems with Microsoft's NET strategy; problems that affect Microsoft and Microsoft alone; does having 90% of the world's computing tied to Microsoft make sense? When a virus that affects Windows can't affect the Mac (unless it runs Windows via VirtualPC), can't effect PalmOS, can't affect a Linux box (unless it runs a Windows compatibility layer like WINE) . . . The point is, if a choice is given, which hasn't been an option since the early 1990's; and if there's limited choice in the web browser market as having a browser "tossed in the box" as IE is on PC, and as it ships default on Mac OS CD's (although it's easier to choose the option on the Mac; yet the alternatives are no longer as promising because it's difficult for them to compete with a free browser like IE from a company that does it to control their own destiny), choice in what machines you can run, choice in having those said browsers, office

programs, etc. etc. available on all platforms that remain viable (such as Solaris, Irix, Linux, Unix, QNX, Mac OS, Palm OS, Windows) in some guise. . . You rectify the problem. My personal solution, is that what should happen is this. Microsoft should be split into two factions, one that develops applications like IE, Office (Word, Excel, Powerpoint, Access, Entourage) Outlook, Outlook Express, FrontPage, Publisher, Media Player. The other faction should be Windows for varying platforms (PC, Pocket PC, etc.). From there, Microsoft should be forced to release the source code to the Windows API's, the Application Plug-in Interfaces. API's are the cornerstone to compatibility, and with those being openly available in the market; other companies such as Apple, Sun, SGI can roll Windows-compatibility into their systems with limited performance degradations (applications written for Windows could be recompiled with those API's on all subsequent platforms).

The Application division would still be allowed to build all versions of their software as previous. The Windows division, wholly removed from the Application tie, would be forced to either a) innovate by competing with the competition with all of the same applications available (further forcing Microsoft to prove they can innovate and compete without bullying, which in effect would teach them a lesson if they couldn't); b) it would also give Microsoft an immediate leg-up as they'd still be the first to have full Windows application compatibility remaining, however they'd have to rework their system to support a lack of IE-integration; c) it would also allow variants of Linux to step-up to the plate, and work on their own Open-source alternatives to Windows, and in turn give the Windows division another competitor. Currently Linux struggles to compete against Microsoft because key programs, like Office, IE, Frontpage, Publisher do not exist or are not offered by Microsoft. Doing what the government can to split the market up as much as possible, and bring in a greater degree of competition is almost like "resetting" the market to where it was before Microsoft leveraged and bullied their way to the top (which is where we're at now, market domination and saturation); which imminently was due to the Federal Government's lack of participation, analyzation, and studies into the business acts of companies that deserve extreme scrutiny.

Band-aid's won't help . . . And while Judge Pinfield-Jackson's rulings might be perceived as hasty and ill-advised, so is any light smack on the wrist, light dent into the personal pocketbook, when compared to the business tactics and atrocities Microsoft has achieved over the year's through their own brand of bullying, bulldozing, and brandishing of competitors as Microsoft has done through anti-competitive tactics. From vaporware announcements, to destroying competition by undermining and undercutting (in the case of IE vs. Netscape). Microsoft's brand of competition must, I stress, MUST be stopped before casualties expand into Apple, Sun, SGI, and spread

farther into their own blood in terms of Sony (who they supply Windows to for VAIO's, but compete against with X-Box), to beyond. Please read this and seriously consider "FORCING" Microsoft to innovate rather than copy and bully the competition. PLEASE, I beg you . . . Do the right thing, seek justice, and help reset the industry so that it might "FINALLY" be allowed to evolve in a logical sense that makes sense and doesn't leave us falling prey to damages from being stuck and tied to "one" entity in the end.

Sincerely,

Marcus Mackey mmackey27@attbi.com

MTC-00013747

From: Hugh Betcha

To: Microsoft ATR

Date: 1/18/02 7:44am

Microsoft is a Monopoly in the classic sense!

MTC-00013748

From: Blake W. Hiatt

To: Microsoft ATR

Date: 1/18/02 8:04am

Subject: Microsoft Settlement

The Justice department should never have gone after Microsoft to begin with. This case was started by rival companies who were merely using the government as another way to attack Microsoft and their success. So, what it comes down to. I do not like the settlement, because the suits against Microsoft should never have started.

MTC-00013749

From: Peter C.S. Adams

To: Microsoft ATR

Date: 1/18/02 8:42am

Subject: Microsoft settlement

The so-called "settlement" is a humiliating cave-in to Microsoft. Have we lost all control over corporations in this country? Microsoft, Exxon, Polaroid, Enron . . . they do whatever they want because they know the U.S. Government will roll over for them when they say "play dead." Have some guts, Justice, or is John Ashcroft too worried about the Microsoft stock in his portfolio?

Peter C.S. Adams

222 Edgewater Drive

Framingham, MA 01702

MTC-00013750

From: Michael Vallance

To: Microsoft ATR

Date: 1/18/02 8:57am

Subject: Microsoft settlement

Now that Microsoft is ALLOWED to GIVE AWAY (aka Donate!) Windows to schools throughout the world as part of this settlement they are undermining all the objective evaluations of other operating systems such as Apple for school labs and SUN for servers. Microsoft has a history of unfair practice and for this business mentality to infect education is sad and to the detriment of the future of our children throughout the world.

Microsoft kills competition and is unfair in its operations.

Michael Vallance

Michael Vallance

Lecturer,

National Institute of Education, Singapore.

mvallance@MAC.COM

MTC-00013751

From: Chris Larson
To: Microsoft ATR
Date: 1/18/02 9:14am
Subject: Microsoft Settlement

I have concerns that this proposed settlement neglects the principle of equity in justice. While understanding the need for an expeditious end to a very long case, and while questioning some of the anti-Free market presuppositions brought by the DoJ, I still have to wonder if justice has been served. There has been no admission of guilt by Microsoft. This is remarkable in light of the evidence presented during the trial and even the initial findings of Judge Jackson.

Chris Larson
Greenville, SC

MTC-00013752

From: John Gladu
To: Microsoft ATR
Date: 1/18/02 9:29am
Subject: Microsoft Settlement

Any settlement that could increase Microsoft's market share, such as the proposed give-away of computers and software to schools, would further their monopoly. I read that that proposal had been rejected, but it is very important that the new settlement proposals be reviewed carefully to insure that they reduce Microsoft's monopoly powers and send a message that such practices will be costly for those that perpetrate them.

bcnu—John Gladu Opinions are just that
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MTC-00013753

From: aaron
To: Microsoft ATR
Date: 1/18/02 9:29am
Subject: proposed remedy

Dear Renata B. Hesse,
Having read all of the documents provided pursuant to the revised proposed Final Judgment in the United States vs. Microsoft I have the following comments:

(1) I was relieved that provisions that would have certainly worked to extend Microsoft's monopoly into the one PC market where some semblance of competition still exists, namely the education market, were removed. As someone who works in the technology industry (though not in competition with Microsoft) I was shocked that the court would decide to "punish" Microsoft by granting it the task of providing cut-rate software and hardware to schools where such resources were in short supply. While the intent of this remedy was no doubt noble the impact on competition in the education market would have been devastating. Indeed, if Microsoft had decided to do this of its own volition the legality of such a move would be in question, and would probably have been challenged by Apple Computers, who would stand to lose considerable market share by being undercut by a company that already has a monopoly

in most other areas of personal computing use.

(2) While I am glad that the proposed penalty discussed in (1) was removed, I failed to see any mention of a replacement penalty against Microsoft in any of the documents associated with the revised proposed Final Judgment. Given that it has been demonstrated that Microsoft engaged in illegal behavior in using its monopoly power to place unreasonable restraints on competition, and in so doing caused irreparable damage to many of its competitors, simply putting in place measures to curtail future anti-competitive behavior provides insufficient remedy. The goals Microsoft wished to achieve by engaging in said anti-competitive behaviors as revealed in court documents dating back to 1995, namely the elimination of Netscape as a major contender in the browser market, have already come to pass. This damage to Netscape and to the American consumer has already been accomplished and any reasonable remedy needs to provide some penalty to punish the illegal actions that resulted in an enormous benefit to Microsoft and allowed it to extend its monopoly. Otherwise, Microsoft has quite simply been allowed to reap the benefits of its illegal activities. Penalties that would have sufficient impact on Microsoft as to provide a deterrent to future illegal are necessary in the case. Such penalties that would have an impact on Microsoft would be 1) a very large and meaningful fine, in addition to 2) requiring Microsoft Windows to ship with Netscape in a prominent position, if not as the default browser, possibly along with payments to Netscape to address Netscape's loss caused by Microsoft's misuse of their monopoly 3) requiring Microsoft Windows to ship with the Java Runtime Engine installed (Windows XP has removed all Java support, for reasons that are clearly laid out in court documents). These penalties are even more necessary now that the effects of Microsoft's illegal actions are known: 1) Internet Explorer is now the dominant internet browser, 2) support for Java is now gone from Windows, 3) Microsoft has shown contempt for attempts by the United States to limit the abuse of its monopoly by releasing Windows XP earlier than announced to avoid a threatened government halt on its release. 4) Windows 98 demonstrated an escalation of Microsoft's abuses of its monopoly by tying its operating system controls to non-operating system services provided by Microsoft. For example, a first use of the "connect to internet" desktop icon and control panel misleadingly brings up Microsoft's internet service sign-up as the only option. Even a professional computer-user such as myself had great difficulty trying to figure out how I would set up Windows 98 to connect to the internet with another Internet Service Provider.

(3) I believe that Microsoft's past actions demonstrate clearly that the proposed relief will not be sufficient to avoid anti-competitive abuse of monopoly on Microsoft's part. The current case against Microsoft has not impeded them from undertaking and in many cases escalating anti-competitive behavior, simply because

the slowness of the legal process has allowed Microsoft to eliminate future competition effectively before court action can be taken. As in the current case, the damage has been done long before the court can come to a settlement of grievances. In the absence of any significant, penalty it is unlikely that the few safeguards put into place in the revised proposed Final Judgment (e.g. limited freedom from retaliation by Microsoft against computer manufacturers for allowing the prominent display of non-Microsoft middleware) could have an impact. Microsoft has broken the law and has shown every intention of continuing to engage in anti-competitive behavior and to abuse its monopoly to the detriment of business and consumers. This state of affairs necessitates very serious and profound government action to protect what is quite possibly the most important sector of the American economy from becoming the fiefdom of a single company. I believe a broad investigation into Microsofts current and past business practices and the proper punishment of the abuses that are discovered is the only way to return this sector of the economy to normalcy. Microsoft did not get to where it is today by the traditional business practice of providing the best products and services at the best price, this has been demonstrated clearly by the court, and strident measures should be taken to insure that it does not continue to reap the benefits of its illegal activity as it currently is.

Sincerely,
Aaron Lawson

MTC-00013754

From: Nugent, Rodger
To: "Microsoft.atr(a)usdoj.gov"
Date: 1/18/02 9:36am
Subject: Microsoft Settlement.

To the Department of Justice,
I am a mac user that enjoys the use of Microsoft products day in and day out. I'm using microsoft outlook web based email client and Internet Explorer for the Macintosh. What I believe the company is doing is dominating the market by cutting out the smaller developers. They leave no room what so ever for integration. And they do not believe in world standards other than that of their own. I am from a college that runs NT servers, you are no doubt getting this email from an NT server. These are buy-far the worst implementation of a server made. It seems that they didn't work with any other computer except Windows. Yes, they were supposed to, but the DHCP wasn't sending out correct packets to macs on a regular basis as well as to unix computers, so we had to go static IP. We finally switched the DHCP server over to Linux and everything for some reason is smooth. I find their software corrupt.

When did word processors take up more space on your computer than highly intensive 3-D applications and programs like Adobe Photoshop 6.0 for the MAC? They don't seem to care about architecture with in the program. They are a company known only to add new code onto old code continuously with out taking out what old, but instead only relying on processors to get faster to crunch down unnecessary code.

They should make all of their products open source, and whoever modifies the program will be paid money. But hey, a simple chore like that I wouldn't trust to that company at this point. In an ideal world, everyone would make their own operating system for their hardware as Apple, Amiga, and other great computers do. There should be a licensing cap with Windows and everyone should stive to make their own flavor of Unix, which is designed specifically for the computer's general tasks.

Also the U.S. courts should create a set of General Code Guidelines [GCG] which enable programs to be ported easily between "flavors of unix" such as Mac OS X based Unix as well as Red Hat and Debian as well as other great builds. I'll keep this short, but please be cautious of what you are doing and don't listen to their over-paid lawyers so much, they are only out to trick you after all that is their job description isn't it? One more thing, give more kudos to Apple, their only goal in life is to create a computer that is user-friendly at the user and server levels, they are our model company.

Rodger Nugent, Bethel College

MTC-00013755

From: Brent J. Nordquist
To: Microsoft ATR
Date: 1/18/02 9:36am
Subject: Microsoft Settlement

To Whom It May Concern:

As a software professional of over 10 years experience, I have significant concerns that the proposed settlement is inadequate to provide redress for Microsoft's proven, illegal use of their monopoly power, and to prevent them from continuing this pattern in the future. Here are my concerns:

(1) The disclosure of APIs for the purposes of interoperability is a very important measure, and I applaud its inclusion. Vibrant competition in any market produces the best result for consumers; for example, the x86 instruction set, the recent heated competition of Intel and AMD, and the resulting increase in processing power per unit cost demonstrates this point. However, the security exceptions given in III.J.1 and III.J.2 will give Microsoft the loophole they need to refuse to document modern APIs which increasingly have security built into them. Microsoft's hold on such APIs as WIN32, such protocols as SMB (file sharing), and such file formats as Microsoft Word .doc files, and Microsoft's strategy of altering and not fully documenting them with every release, is one of the ways they preserve their monopoly status and force consumers to upgrade, to the detriment of consumer choice and healthy competition. Certainly "keys [and] authorization tokens" are properly excluded, but the settlement wording should be strengthened to specifically require not only the complete documentation for every API, but also a fully functional reference implementation of each API. This is how Internet standards (such as RFCs and IETF standards) are handled. Anyone who says that an API or reference implementation cannot be fully provided due to security concerns is relying on "security by obscurity" and does not understand how computing security really works.

(2) The conduct of Microsoft in question resulted in their making profits far above what a free, competitive market would have allowed, on the basis of their illegally-maintained monopoly status. This profiting was to the detriment of consumers worldwide. The settlement is wholly inadequate in providing compensation to the consumers who were so negatively impacted. Any settlement should include a substantial refund to consumers who purchased Microsoft products (directly, or through OEM agreements with hardware vendors). The penalty should be sizable enough (given Microsoft's size and resulting extremely large sales and profit numbers) to serve as a deterrent to future illegal conduct.

Respectfully submitted,
Brent J. Nordquist
13289 Killdeer St. NW
Coon Rapids, MN 55448-1396
Brent J. Nordquist <brent@nordist.net>
NOBJN

MTC-00013756

From: grph@panix.com@inetgw
To: Microsoft ATR
Date: 1/18/02 9:35am
Subject: Microsoft Settlement

Dear Sir/Madame,
I am an artist and software developer in New York City. I strongly object to the current terms of settlement in the DOJ vs. Microsoft antitrust case presently under consideration. I believe that the software industry has achieved sufficient complexity in its development to mandate a complete separation between ANY Operating Systems company and ANY Productivity Software company. As we have seen, if a company provides both Operating System software as well as Productivity Software there is ample room for abuse of so-called third-party developers.

Thank you for your consideration.

Sincerely,
Gregory Rukavina

MTC-00013757

From: Jonathan
To: Microsoft ATR
Date: 1/18/02 10:40am
Subject: Microsoft Settlement.
To: USDOJ

I think that anyone with any type of understanding knows that M\$'s proposal to donate 1B. in software/hardware to the education market is a total crock (they don't actually spend much on the software, the hardware will be windows only, therefore helping to push Apple out of one of the few markets that M\$ has any competition with). If the US DOJ let's this go bye it's a total farse.

Microsoft has constantly abused it's monopoly power & will only continue to do so if left unchecked. They keep on pushing into other markets & soon I fear that they'll just be to powerful for any government to stop (seriously). If the US DOJ is having problems with them now, imagine what it'll be like 10 years from now when they've taken over many more markets, have that much more control, \$\$\$ & invluence. In my opinion, they must be stoped now.

Jonathan Gracey

MTC-00013758

From: Langer, Jurian
To: "Microsoft.atr(a)usdoj.gov"
Date: 1/18/02 9:51am
Subject: question

Dear Sir, Madam

At the moment, I write my PhD at the European University Institute (EUI), Florence dealing with the relationship between competition policy and standardisation regarding the Internet. In my thesis, I focus on the competition aspects of formal standard-setting issues as well as de facto standards.

I have tried unsuccessfully to find the US v Microsoft US Court of Appeals for the District of Columbia Circuit decision of 27 June 2001 on your website.

I would be most grateful if you would send me a copy of the decision or tell me where to find.

Your sincerely,
Jurian Langer
Mr Jurian Langer LL.M (London) EMLE (Hamburg)
Researcher
Department of Law
European University Institute
Badia Fiesolana
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I-50016 San Domenico di Fiesole (FI)
ITALY

MTC-00013759

From: JackieVan@aol.com@inetgw
To: Microsoft ATR
Date: 1/18/02 9:58am
Subject: Microsoft settlement

I would like to see this matter settled. Microsoft has only helped the computer industry and the general public. The government should go after the cable industry for monopolizing prices and products—we really have no choices with cable.

MTC-00013760

From: Tom Dickerson
To: "microsoft.atr(a)usdoj.gov"
Date: 1/18/02 9:57am
Subject: Microsoft Settlement

The purpose of this email is to express my opinion to the Department of Justice with respect to the proposed Microsoft settlement during the "review period", as required by The Tunney Act.

Since I am a Human Being who seeks to live on Earth, I am-by that fact alone-a "consumer". Since I was born and raised in The United States, I suppose that makes me an "American Consumer". I have also followed this case since the investigations into Microsoft's activities began in the early nineties, in anticipation that the DoJ would eventually seek to invoke these arbitrary edicts that we call the "antitrust laws" in order to "punish" Microsoft.

I was right.

So as an American Consumer, I will state that I have benefited tremendously from the existence of Microsoft, including the actions taken by the organization's management, and of its employees. As evidence to my claim, I need to site just one thing: the rise of the price of Microsoft's stock from the point of inception of the corporation. I suspect that

this may come as a bit of a surprise to the Department, but we live in a (semi) free society! Free enough, however, that anyone who believed s/he would not benefit from Microsoft's products, was, and still is, free to "sit on the sidelines" and refrain from engaging in exchanges with Microsoft. And yet look at the rise of their stock, and observe all the "consumers" who decided they wanted to be in the game, including myself. Can the same be said of The United States Postal Service? When they want to raise their prices, you usually help them out, don't you? Funny-both Microsoft in the nineties and Ford Motor Company in the twenties lowered their prices (without anyone's help) and each became filthy rich. But I do not doubt for a minute if the Postal Service did that, they would go out of business. They really need you guys! But I wonder what causes this difference.

I realize The Tunney Act is simply a means for the DoJ to give itself that lacquered look of a department that actually seeks justice-that by letting the "little people" like me bawl or cheer, as the case may be, you will make it appear that you're "considering all sides"-and that the act of me sending this email will be one more stroke of the varnish brush. Nevertheless, I want to participate in this act anyway, if for no other reason than to give you one more email that you have to delete from your hard drive before you behead the greatest corporation in American history. I know that The Tunney Act is a way for you to moisten your finger and thrust it into the air before you act, but the mere fact that you feel you need to do it proves what little confidence you have that the actions you're about to take are just. For if you had such confidence in your knowledge of the difference between right and wrong, you wouldn't feel the need to take an opinion poll of your potential victims-popular opinion will not tell you what is right or wrong, only a reasoning mind can do that. (This is tantamount to a farmer who takes an opinion poll of his sheep because wants to see if they'll be offended when he shears them.)

There. You've got my opinion. Do you want to behead me now? If so, send me an email at the address below and I will give you directions to my apartment. However, I may not be there because, in addition to being a consumer I also happen to be a producer, which means I'm usually really busy. Here's how you can get a key to my building though: ask any employee of The United States Postal Service for one. You see, they get to have keys to my home for some reason, whereas the UPS people and the FedEx people have to leave sticky-notes on the door. I do not benefit from this.

I wonder why that is.
Thomas E. Dickerson
Grand Rapids, Michigan
Email: tomed@kdprps.com
<mailto:tomed@kdprps.com>

MTC-00013761

From: panjandrum@mac.com@inetgw
To: Microsoft ATR
Date: 1/18/02 10:14am
Subject: Microsoft Settlement
Department of Justice,

It seems, that the issue of how to punish Microsoft for their behavior can be resolved with relatively simple measures. Here are some simple ideas that would probably work, either alone or in conjunction with each other.

1) Punish Microsoft in a financially meaningful way. I don't mean a slap on the wrist, I mean something that will hurt and hurt so badly that they will be simply unable to consider using the same tactics again. I expect this would run into the hundreds of millions of dollars, maybe even into the billions. Split this money equally between their 100 biggest competitors; Palm, Apple, RedHat, etc. This solution is so simple it seems silly to mention it, but it would work, and well.

2) Limit the markets they can operate in. Get them out of telecommunications, entertainment and "palmtop" devices.

3) Establish quotas for the total number of computers sold with Microsoft software. For example, establish a law dictating that all computer stores sell a minimum of 25% of computers (discounting "palmtops") running something other than Microsoft Windows. This could be Unix, Linux, Mac OS, or any number of other wonderful operating systems that just can't get off the ground due to Microsoft's monopoly. Be comes to mind as the prime example of a dramatically superior product failing because Microsoft holds an illegal and immoral monopoly on the market. (Imagine a small company building a car that was three times as efficient, twice as fast, four times as safe, twice as easy to drive, and cost half as much as any other car on the road. Now imagine that the company just can't sell them because of illegal market pressure from GM, Ford, etc. This is what happened to Be Inc.)

4) A *company* does not make decisions, people make decisions. Go after and punish the *people* at Microsoft who made these decisions. Throw Bill Gates in jail. Send a message to *all* companies that the persons responsible for making the decisions are *responsible* for the results of those decisions.

Truly, Microsoft's Orwellian tactics are frightening.

Sincerely,
David Butler
All-around-computer-guru :-)

MTC-00013762

From: Jerome Dowdle
To: Microsoft ATR
Date: 1/18/02 10:24am
Subject: microsoft settlement

I feel it is in the best interest of the consumers to settle the suit with the nine holdout states on the terms that have been agreed to by the other states and the government.

MTC-00013763

From: Kevin Eldridge
To: "microsoft.atr(a)usdoj.gov"
Date: 1/18/02 10:23am
Subject: Microsoft Settlement
To Whom It May Concern;

I have just read several articles from different news sites on the Internet which are covering the sale of SGI intellectual

properties to Microsoft. These properties are all related to 3D APIs, and might even include the industry-standard 3D API, OpenGL. It is a well known fact that Microsoft has been trying it's best to kill off OpenGL, in favor of it's own proprietary 3D API, DirectX. There are documented instances of Microsoft dropping OpenGL from builds of it's Operating System, Windows, as far back as Windows 98. Now, in light of the fact that Microsoft now owns the vast majority of SGI 3D API properties, and the fact that Apple Computer uses the OpenGL API as a core component in Mac OS X, I would be afraid that Microsoft is, once again, trying to cut out a competitor with strong-arm tactics. After all, if Microsoft refuses to license OpenGL to Apple, and also refuses to port their propriety 3D API to Mac OS X; well, we have another case of anti-trust in action!

I would hope that someone with the Justice Department could investigate this further, and help prevent Microsoft from taking another stab at killing it's one true competitor, Apple Computers.

Thank you for your time.

Kevin S. Eldridge
Repair Technician
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Wave Wireless is an ISO 9001 certified company

MTC-00013764

From: Ted Grimes
To: Microsoft ATR
Date: 1/18/02 10:25am
Subject: Microsoft settlement
Dear Judge Kollar-Kotelly,

I appreciate the request that we consumers respond to the settlement with regard to Microsoft. I have been a "Microsoft consumer" for many years and am using Microsoft products to produce this email. I truly fear that this whole project by our government against a successful commercial enterprise has been overbearing and largely unjust. It seems to me that jealousy, envy and greed are accurate labels to apply to our system of criminal justice, in this case, from the lowliest attorney to the highest court involved, including the suing states. Class warfare? Yes. Take from the rich to satisfy this baser urge to knock down the successful? Yes. Is success being punished for any right reason? I have my doubts.

I connect the current recession, at least in part, to the anti-big-business efforts that are popular among certain political parties and labor unions. It seems to be a power struggle of the mighty forces of government against a vulnerable big business with enviable success. And the root of this evil is the love of money. Vice President Quayle had it right in his report on reform of the legal profession, reported toward the end of his administration's term in office. Frivolous lawsuits motivated by the money trail continue to dominate our culture. It is

politically and culturally incorrect to criticize our judiciary and the elements that make it up. In fact it can be downright dangerous. Just ask Dan or Bill Gates. It seems culturally and politically correct to pick on the medical profession at will, warranted or not. The cost of litigation, no matter whether or not it is just, has increased our cost of purchasing medical care and pharmaceuticals, autos and airplanes, and you name it, above and beyond what is reasonable. Arbitration should be used between disagreeing parties first. Lawyers should be by-passed, as well as the courts, at this level in our society. Lets get reasonable, enough is enough. Intelligent persons often can work things out to everyone's satisfaction. If not, the legal wars take over at hugely inflated cost.

Many doctors would probably practice medicine a few more years had they not feared the "loss of everything in one fell swoop" on any given response to the emergency room. The chill of this kind of over bearing so called justice is high in the mind of any investor. Is the risk really worth it? The Microsoft settlement is chilling on business and society. The original judge in the matter was awful in his mis-use of power. I sincerely disagree with Mr. and Mrs. Bill Gates promotion of the slaughter of innocents, world wide. Their money could be used humanely in many ways.

James T. Grimes, MD
Lyons, Kansas

MTC-00013765

From: wehs—st—
js@noeca.esu.k12.oh.us@inetgw
To: Microsoft ATR
Date: 1/18/02 10:22am
Subject: Microsoft Monopoly
To Whom It May Concern,

I am writing this e-mail in regards to the Microsoft Anti-Trust Case. As an educator, I understand the necessity of "having a level playing field." If a student does not have equal access to education, then they will have to overcome incredible odds to achieve success. Microsoft has created an unfair advantage through the use of coercion, deceit and blatant libel. Other companies, such as Apple and Netscape have suffered nearly fatal losses as a consequence of such practices. It is my opinion that Microsoft should either A). pay reparations to all affected parties (which would be nearly impossible, as some entities no longer exist), B). be broken into smaller companies, with assets distributed, and/ or C). Make it's products free to anyone for a period of time.

Thank you for refusing to be intimidated by their bullish tactics!

Jason Scherley
LD Tutor
Western Reserve High School
Collins, OH

MTC-00013766

From: Jeremy Bell
To: Microsoft ATR
Date: 1/18/02 10:31am
Subject: Microsoft Settlement

This settlement solves absolutely nothing. How much of a deterrent is this settlement really going to be? Microsoft, even now with

the acquisition of the SGI OpenGL patents, is positioning themselves to dominate the 3d graphics industry, suppressing innovation from 3D card makers by denying them licenses and forcing a standard solely defined by Microsoft, rather than the panel of industry leaders that up until now have encouraged innovation and have provided an open environment to provide 3d graphics implementations on multiple platforms. Microsoft now has the power to eliminate OpenGL in favor of it's proprietary DirectX framework. This is just ONE example of behavior that will continue at Microsoft unless a more encompassing settlement is reached, or unless the settlement is withdrawn in favor of a Final Judgement that is in the interests of the United States. We must prevent this type of behavior from sprouting up again, not just in Microsoft, but in any future corporation. The proposed settlement is like telling companies that it is fine to violate the Antitrust laws because the penalties aren't as bad as the benefits. I for one am deeply afraid of an environment that would allow companies to get away with this kind of activity without severe penalties as defined by law.

Thank you for your time,
Jeremy E. Bell
22209 H. Dr North
Marshall, MI 49068

MTC-00013767

From: Laurence Bates
To: Microsoft ATR
Date: 1/18/02 10:36am
Subject: government case against Microsoft was poorly construed

I believe that the government case against Microsoft was poorly construed and demonstrated a basic lack of understanding of modern software technology and the means of technological innovation. The case should be dropped or replaced with specific laws which govern agreements that require EXPLICIT exclusion of third party hardware or software. This could have been dealt with quite easily had Sun and Netscape not tried to do to Microsoft, through a very flawed and partisan legal system, what they could not do in the marketplace. Apart from which, the founder of Sun is IMHO a conceited bore.

Laurence A. Bates
Michigan State University
College of Education
217E Erickson Hall
East Lansing, MI 48824
Laurence@msu.edu
517-355-2178

MTC-00013768

From: MTThompson2@aol.com@inetgw
To: Microsoft ATR
Date: 1/18/02 10:36am
Subject: Microsoft Settlement
To Whom It May Concern—

I am, and have been for years, a simple (perhaps more simple than most) Microsoft software user.

I have used, and am still using, Microsoft's products, both at work and at home, and am not wholly uncritical of the quality and reliability of their products (except when you compare them to all the rest). Their computer operating system (beginning, for me in the

early 90's, with Windows 2.0 and its subsequent improvements and upgrades) and their application software (Word, Excel, Money, Encarta, Streets & Trips, etc.) have improved my life beyond anything I can measure. I can't imagine what my life would have been like without the use of their innovative products.

While I have not closely followed the various Federal and State government's suits against Microsoft, I believe an outcome harmful to Microsoft will negatively affect Microsoft's ability to meet my needs, personally, both now and in the future. I do not believe that punishing Microsoft is in the public's (nor my) interest.

While it is true that Microsoft has profited enormously from selling its products and doubtlessly has a very aggressive (and clever) marketing strategy, I don't believe it could have prevailed over the competition unless its products were actually superior. I, along with all the others, would have sought out and used the better products, if there were any. Also, the fact that most of Microsoft's software works with and interacts with most of its other software is very advantageous to me. That this may disadvantage Microsoft's competitors from a marketing viewpoint is of little concern to me.

Furthermore, Microsoft has provided me (and the millions of others) their products at prices that are ridiculously small compared to their usefulness. If Microsoft has a monopoly on selling these products, why have the costs (to me, and everyone else) continued to decline? I do have a complaint about Microsoft: On those occasions (admittedly relatively few) when my lack of knowledge, understanding, and/or computer sophistication causes me to have operating problems with their software, and I have failed as well to discern an answer from their enormously comprehensive (but Byzantine) website designed to provide solutions to users with problems, I am unable to talk directly to one of their technicians without being charged a fee for their "services."

However, it also seems reasonable to me that Microsoft cannot be held accountable for my ignorance (and laziness) and should be entitled to some compensation for providing me with the information I need on those occasions. Their policy, coupled with my thriftiness (cheapness), has sometimes resulted in my digging more deeply into their various free resources, finding solutions myself, and becoming more educated and self-reliant as a result (a good thing).

I appreciate the DOJ looking out for my interests whenever their efforts actually are in my interest (i.e., prosecuting people guilty of election fraud, and terrorists). In this case, I think the DOJ's efforts are misguided, very wasteful of their limited time and resources (which my taxes help pay for), and not in my interest at all.

Sincerely,
MTThompson@aol.com
Michael T. Thompson
503 West Le Roy Avenue
Arcadia, CA 91007-7335
(626) 574-8446

MTC-00013769

From: Debbie Purdie

To: Microsoft ATR
 Date: 1/18/02 10:45am
 Subject: Microsoft Settlement
 Stop the POLITICS AS USUAL!
 Accept the settlement and let's move on!
 Enough is enough!
 Debbie Purdie
 purdies@earthlink.net
 EarthLink: It's your Internet.

MTC-00013770

From: Marylin Cowan
 To: Microsoft ATR
 Date: 1/18/02 10:54am
 As a Microsoft proponent, I strongly urge the government to settle the existing litigation as the previous litigation was settled. Do not allow the existing nine states that are holding out to permit this litigation to go any further.
 Please end it!
 Marylin Cowan
 3085 Sunnybrook Lane
 Colorado Springs, CO 80904
 mcowan-cosprings@att.net

MTC-00013771

From: MQuick5257@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/18/02 10:54am
 Subject: Microsoft-settlement
 Mark B Quick
 5214 Valerie Street
 Bellaire, TX 77401
 January 18, 2002
 Attorney General John Ashcroft
 US Department of Justice,
 950 Pennsylvania Avenue, NW
 Washington, DC 20530-0001

Dear Mr. Ashcroft:
 I write to you today to express my support for the recent settlement reached between the Attorney General and Microsoft. As a nation, America has been under very trying times in the past six months. Uncertainty plagues American confidence in business and the world around us. It seems unreasonable for the federal government to continue to concentrate on possible antitrust litigation against Microsoft during these times. I hope that the Justice Department would have different priorities during this time. Microsoft, in addition, has been readily available to resolve this issue. Microsoft has given computer makers broad new rights that will allow them to reconfigure the operating system to their own likings. Now users will be able to add or delete programs to the Windows system at their discretion. This represents broad new changes in the computing industry. Without doubt, I hope the Justice Department will resolve the dispute. It is unfortunate that the Justice Department has to focus on such matters at this time. I believe it is in the best interest of the nation to enact the settlement without hesitation.

Sincerely,
 Mark B Quick
 CC:fin@mobilizationoffice.com@inetgw

MTC-00013772

From: Joe Reardon
 To: Microsoft ATR
 Date: 1/18/02 10:59am
 Subject: USAGReardon—Joseph—1081—0116

18821 Dembridge Drive
 Davidson, NC 28036
 January 17, 2002
 Attorney General John Ashcroft
 US Department of Justice
 950 Pennsylvania Avenue, NW
 Washington, DC 20530-0001

Dear Mr. Ashcroft:
 I would like voice my support for the settlement of the Microsoft Anti Trust case. It is great to see that our government is working to end this lawsuit. Microsoft has contributed jobs and high-demand products to the economy. It is time to let them get back to business and focus on innovation, not lawsuits. The settlement promises change in Microsoft's business practices that will foster more competition in the IT industry. To put a quick end to this three-year lawsuit, Microsoft has agreed to more terms in the settlement than the lawsuit challenged. The settlement is a reasonable compromise.

I support the Microsoft-endorsed settlement and would like to see an end to the lawsuit. No further action should be taken against Microsoft. Our economy needs this settlement.

Sincerely,
 Joseph Reardon
 cc: Representative Mel Watt
 CC:NC12.public@mail.house.gov@inetgw,fin @mobilization . . .

MTC-00013773

From: Thomas Oughton
 To: Microsoft ATR
 Date: 1/18/02 10:59am
 Subject: Microsoft Settlement
 To whom it may concern,

In my opinion the current proposed settlement is not a penalty. Microsoft owns the computer desktop. They have used this monopoly to move into and take over the browser market and the office suite market. They are now using this to move into the streaming media market, pushing out the existing players. Rather than using the existing standards used by the existing players Microsoft has created a new "standard" that will only work with Microsoft players. As they ship these players for free with the OS and can easily start out with millions of players out in the market place, how long until Real and the other streaming media vendors are pushed out? Microsoft is also using their monopoly in the desktop OS market to push their .NET marketing strategy. They require the owners of Windows XP to join Microsoft Passport one of the main parts of .NET or Windows XP will stop functioning.

When cable tv was growing at a rapid pace, US West wanted to use their existing infrastructure to provide cable tv, but because their monopoly would have given them an unfair advantage they were barred from entering into new technological areas. Why is Microsoft allowed to use its monopoly to move into areas where it has an unfair advantage over the companies that pioneered the new area. In my opinion, I say let Microsoft have the desktop OS but don't allow them to move into the new technology areas until there are firmly established companys that can be on equal footing in that area with Microsoft's

juggernaut. These areas include internet service servers, streaming media and large and medium sized server operating systems software. They have already moved into tv (MSNBC, Ultimate TV), video games (Xbox) and as a internet service provider (MSN). They have over 30 billion dollars cash just looking for other areas to expand into. The holdout states" proposed settlement is a lot closer to what I think should be done if Microsoft isn't treated like a public utility and controlled by a commission.

Thanks
 Tom Oughton

MTC-00013775

From: thediehard@juno.com@inetgw
 To: Microsoft ATR
 Date: 1/18/02 11:09am
 Subject: Microsoft Settlement

Microsoft's monopoly over federal government computers is the source of both Bill Gates' wealth and the disastrous impact on productivity within the federal government as a "new operating system" is "introduced" every year, with its attendant need for more powerful computers, relearning all the software, patching over the millions of bugs, and the inability of older programs to read or work with the "newfangled super-duper" ones. Microsoft should be prohibited from introducing new software until it has been fully tested for smooth operation and compatibility with previous programs, and should be required to provide every new program to the federal government FREE OF CHARGE, in appreciation for the billions they have already stolen from our tax money. In the meantime, the federal government should immediately issue a re-compete process on the full operating system, all results of which must be made public before purchasing or deciding on any standard whatsoever.

Dian Hardison
 ex-NASA, Florida

MTC-00013776

From: Bob Cloninger
 To: Microsoft ATR
 Date: 1/18/02 11:17am
 Subject: Proposed settlement.

Microsoft has violated (albeit creatively) every agreement made with DOJ in the past. This settlement does nothing to prevent that or restore the companies (and lives) they have illegally destroyed.

MTC-00013777

From: jerry richard
 To: Microsoft ATR
 Date: 1/18/02 11:17am
 Subject: USAGRichard—Gerald—1022—0115
 January 16, 2002
 Attorney General John Ashcroft
 U.S. Department of Justice
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Mr. Attorney General,
 I am writing to address the antitrust settlement reached between Microsoft and the Department of Justice. Bringing the antitrust proceedings to an immediate close will benefit the economy, particularly important now during the recent economic downturn. To that end, I am in favor of the current antitrust settlement with Microsoft.

Under the terms of the current settlement, Microsoft will design all future versions of its Windows operating system to be much more compliant with competitors' peripheral software components. This will allow consumers to have greater freedom in choosing and customize components within Windows.

In addition, Microsoft has agreed to document and disclose various internal interfaces of Windows to its competitors for the purpose of more compatible software development. I have been a long time user of Microsoft's Windows products and I have never encountered any serious problems with them, certainly nothing that would warrant the economic disruption, which the antitrust proceedings have contributed to. In short, I urge you to support the antitrust settlement for the sake of getting our economy back on track. We need our heavy hitters in the IT sector now more than ever.

Sincerely,

Gerald Richard

CC: Representative David E. Bonior

MTC-00013778

From: Daniel John Klett
To: Microsoft ATR
Date: 1/18/02 11:18am
Subject: Microsoft Settlement

Provisions should be made to protect alternate Operating Systems. This can be done by forcing Microsoft to continue producing software, like Word, Excel, as well as games for both the Mac OS and the Linux OS. No Operating system can exist on the consumer side if basic Microsoft Applications, like Office, do not exist.

MTC-00013779

From: AlbieV@aol.com@inetgw
To: Microsoft ATR
Date: 1/18/02 11:19am
Subject: Microsoft Settlement

I think that Microsoft has great software at a reasonable price. If the government went after drugs dealers the way they went after Bill Gates there would be no drug problem in the United States. Settle this case before we go broke spending all of the taxpayers money. I think president Clinton made a mistake when he deregulated the Cable TV industry. My bills have gone up every year since he Deregulated and I've noticed that Time Warner cable has brought up most of the little local companies and that's a monopoly.

MTC-00013780

From: STEVE FADULLON
To: Microsoft ATR
Date: 1/18/02 11:26am
Subject: Enough is enough, especially when the issue is not only about money. This a

Enough is enough, especially when the issue is not only about money. This a country of innovations and inventions, the bulwark of freedom that fans ingenuity and excellence. While commerce generates the resources that sustains this freedom, it should not be forgotten that money while needed is not the end but only the means. The freedom to attain excellence should not be stifled and allow mediocrity to set in. We must sustain growth because as the world's leader we need

strength of mind and purpose that will overcome terrorism and the unexpected to befall us as a test of our armor. The settlement is more than adequate to compensate for whatever wrong has been done perhaps out of sheer inattention because of the company's focus. The damage, if any, has been will compensated. Let progress proceed unimpeded in an area that us young and promising for development—the product for the future.

Thank you for your attention.

Respectfully,

ESTEBAN T. FADULLON, Jr.

MTC-00013781

From: David Allen
To: Microsoft ATR
Date: 1/18/02 11:29am
Subject: Microsoft Settlement
My views on the Microsoft Settlement are expressed in the attached letter.

David Allen
dtmllallen@msn.com
David Allen 1827 Ellison Creek Road
C??emmons, NC 27012-8059
January 18, 2002
Attorney General John Ashcroft US Justice
Dept. 950 Pennsylvania Avenue, NW
Washington,
DC 20530-0001

Dear Mr. Ashcroft:

I am writing you today to voice my opinion in regards to the Microsoft settlement that was reached in November. This settlement is fair and reasonable, and I am anxious to see this dispute resolved. This settlement was reached after extensive negotiations. Microsoft ultimately agreed to additional terms than were actually at issue in the initial lawsuit, just to finish. In the end, Microsoft agreed to share more information with other companies, including certain internal interfaces in Windows and protocols implemented in Windows' operating system products. I feel that Microsoft has gone well beyond what should be expected of a company in a democracy to reach an agreement and settle the dispute.

Microsoft is a good company that designs good products. This litigation is a waste of resources, and I believe the ongoing litigation is having a significant negative effect on the economy. Please support the settlement and end this dispute. Thank you.

Sincerely,

David Allen

MTC-00013782

From: Michael McIntyre
To: Microsoft ATR
Date: 1/18/02 11:33am
Subject: Microsoft Settlement comment
Dear People,

Thank you for this opportunity for public comment. I have worked in the Information Technology field all of my professional life. I have observed many good technological advances thwarted by the Microsoft monopoly, either by being muscled out of the marketplace or acquired by Microsoft and diluted. This is extremely hurtful to our country's technological leadership and tradition of entrepreneurship. The most important outcome of the settlement of this case must be that competitive and alternative

operating systems (e.g. Linux, Macintosh OS X) as well as applications and standards (e.g. Quicktime, Java) be given a fair chance to survive and prove themselves on their technical merits. Without DoJ imposed constraints, the Microsoft Corporation will continue its monopolistic elimination of competitors. We will then be left with one option for computing systems from a company with no motivation to innovate or produce quality products.

I urge you to maintain and nurture an environment where existing and new competitive products can be developed and thrive without being squashed by Microsoft.

Thank you.

Michael

Michael McIntyre Web Manager & Systems Consultant

UM Population Studies Center
734.998.6275 www.psc.isr.umich.edu

MTC-00013783

From: Martin Kabila
To: Microsoft ATR
Date: 1/18/02 11:33am
Subject: BUSINESS PROPOSAL
TEL: 871-762918980
FAX: 871-762918981
Email: Mkkabila@excite.com
ATTENTION: DIRECTOR/CEO
RE: URGENT ASSISTANCE.

Kindly allow me the modesty of introducing myself. I am Martin Kabila, the son of the former head of the state / President of Congo-Kinshasha (then called Zaire) President Laurent Desire Kabila.

I got your particulars through the Chamber of Commerce. However, I am contacting you in order to ask for your assistance on this confidential business proposal with full financial benefit for both of us. Before I got into further details, please be informed that I am writing without any other person(s) pre-knowledge of contacting you on this transaction. Therefore, I will appreciate same attitude to be maintained all through.

I have the sum of USD\$48 Million from a secret sale of Diamond by my late father before he was assassinated by his bodyguard (Rashid) on January 16th 2001, which I will like you to receive on my behalf due to security reasons, as my narration below will explain. But before I continue, be well informed that your share in this transaction has been calculated at 20% of the total sum of USD\$48 Million, 5% for expenses and the rest for my family and me. However, my father as a real African traditionalist was a polygamist, thereby having married so many wives, and my mother being the second wife of my father, my stepbrother Joseph, who is the current president of my Country, is the son of the first wife and he does not have my knowledge about this deal. Already, president Joseph is using his power of office to colonize all the money and private properties, which our father left behind for the whole family. Now, my mother and I are left with nothing in the inheritance of my late father's wealth. Our situation is seriously critical that we need your assistance to help us receive these funds overseas for proper investment.

Let me quickly assure you the 100% safe proof of this transaction because, the

Diamond sales are packed from the onset in a pattern that shows no trace or linkage with us (Kabila family). At present, the money is in cash and is secured in a Security Company as family treasury.

I am writing for your swift and favorable response. You are to contact me via my direct Tel: 871-762918980. Fax: 871-762918981. or by using the above e-mail address. Your urgent responses are highly needed, and in case you have any question(s), don't hesitate to ask me.

Best regards,
Martin Kabila.

MTC-00013784

From: Randy Robert Boring
To: Microsoft ATR
Date: 1/18/02 8:34am
Subject: Microsoft Settlement
Renata B. Hesse
Antitrust Division
U.S. Department of Justice

Please do not agree to any settlement with Microsoft which lets them increase their ill-gotten market share.

One of the most dastardly methods of increasing market share is to give away your product to customers in a sector (such as education) that is contested by a rival. After the customers have installed your "free" software, they get used to using it and base their workflow upon it. Then, when an upgrade is needed (perhaps that version stops working with the latest operation system software), those customers are usually retained, but now at a large cost to the customer.

Do NOT let Microsoft give away copies of their software to anyone! It is NOT a penalty to them in any sense. It is a marketing strategy. One which is not only successful for Microsoft, but is also very detrimental to its rivals, as they have to compete with a "free" product. That is VERY difficult to do. It also seems wrong for an award not to go to those who won the case, but that's for someone else to argue. I understand the difficulties of finding everyone harmed by Microsoft. Perhaps you could just send a small check to every household in America. You'd be certain to reach every American victim, and it would only overcompensate by a small fraction, as their software runs on about 90% of computers. Maybe include a suggestion that if the person does not feel that they were hurt by Microsoft that they donate that amount to the President's Afghanistan relief fund.

Hope that helps,
Randy Boring
233 Merribrook Trail
Duncanville, TX 75116

P.S. I work for a small company, Thursby Software, which writes software that enables non-Microsoft computers (Apple Macintoshes) to interoperate with Windows PCs. So we sort of compete with them, but we work with them, too.

MTC-00013785

From: Frank Serafini
To: Microsoft ATR
Date: 1/18/02 11:39am
Subject: Microsoft Settlement

Why kill the Golden Goose that made the industry what it is today? With all the other,

more important matters to be dealt with, I don't see how the Justice Department ever thought it right to go after Microsoft. There should never have been a suit brought against the company simply for doing well and producing a product that most everyone likes. I feel that not enough people realize how much Microsoft has given over, in order to reach a settlement in this case and move on. Do people realize, that by giving so much access to their code and by designing future versions of Windows to operate more efficiently with competitor's software. Microsoft is helping it's competition at its own expense? I hope they will learn more about the settlement and come to appreciate just how much Microsoft is giving up.

It is high time for both Microsoft and our Justice Department to move on to more important matters and leave the case behind. I only hope that the states realize their mistake and join the rest of America in supporting the settlement.

Sincerely
Francis H. Serafini
14103 Kint Circle
San Antonio, Texas 78247

MTC-00013786

From: Timothy Cox
To: Microsoft ATR
Date: 1/18/02 6:59am
Subject: Buying SGI's patents is anti-competitive.

Good Lord.

Microsoft has purchased the 3d patents of SGI. SGI had the best 3d rendering technology available and the SEC let them buy it from SGI. Now MS will be able to kill this superior technology and push their expensive, licensed, inferior one on the market. The DOJ ruled "Don't do it again!" and yet they do it, and do it, and do it. Stop these 800,000,000 pound gorillas now or this court will be remembered in history books as the justices who when they had the chance to stop the bad guys, they blinked.

Tim Cox

MTC-00013787

From: Pete
To: Microsoft ATR
Date: 1/18/02 11:44am
Subject: Microsoft Settlement
Pete Baxter
7201 Tall Tree Lane Charlotte, North Carolina 28214
January 18, 2002
Attorney General John Ashcroft US
Department of Justice 950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I am writing you today to express my support for Microsoft regarding the antitrust dispute. Microsoft is a great company that has contributed a great deal to our society and daily lives. This company should not be stifled or restricted. The settlement that was reached in November is complete and fair. Microsoft has agreed to all terms of this agreement. Under this settlement, Microsoft must design future versions of Windows to provide a mechanism to make it easy for computer makers, consumers and software developers to promote non-Microsoft

software within Windows. Microsoft must also disclose information about certain internal interfaces in Windows. Microsoft should not be punished for being successful. Success is a goal that every American worker strives for. Please support the settlement that was reached in November. Thank you.

Sincerely,
Pete Baxter

MTC-00013788

From: WIDMAN,ERICK (Non-A-LumiLEDs,ex1)
To: "microsoft.atr(a)usdoj.gov"
Date: 1/18/02 11:46am
Subject: Microsoft Settlement

Dear Judge Kollar-Kotally:

Although Judge Jackson made unfair, unprofessional comments about Microsoft during the most recent trial, this should not diminish his findings regarding Microsoft's monopolistic behavior. Please reject the government's proposed settlement and until something more robust is proposed.

Very truly yours,
Erick and Ivy Widman
Concerned Citizens
Address: 1700 N 1st #319, San Jose, CA, 95112

Phone: 408-420-1777
CC: 'microsoftcomments(a)doj.ca.gov'

MTC-00013789

From: Chuck LYNN
To: Microsoft ATR
Date: 1/18/02 11:50am
Subject: MICROSOFT SETTLEMENT

I wish to register my objection to the proposed Microsoft antitrust settlement. The settlement does not do nearly enough to protect competitors or, as in my case, consumers.

Chuck Lynn
Computer Teacher
Overland Park, Kansas

MTC-00013790

From: cmayer
To: Microsoft ATR
Date: 1/18/02 11:56am
Subject: Microsoft Settlement

I think that the settlement won't work because you have an expiration date of 5 years (with a one time possible 2 year extension). In the technology market, R&D for a killer app could take that long. So basically you're giving MS permission to patch up their current product line, smile while they're working on the next version, then go back to the same old thing. They could too. Thanks to the "Product Activation" in the XP products (for which I, and many people I know refuse to buy or use XP products over) MS could, in 5-7 years, refuse to grant new hardware activation numbers to users not using the "new" Windows. New computer buyers (like today), would not get a choice and would be subject to whatever new scheme MS planned for keeping users. Perhaps it would just be things like Microsoft only digital media formats with rights management that, like the new "protected" CDs (defined as such only because of form, they break the standard), would not work on all machines.

In my opinion, digital rights control is the key to the next generation of computer

monopoly. It should be closely monitored and regulated in—the—interest—of—the—consumer. Personally, I believe that the prices demanded for software and other media should allow consumers to freely use it within reasonable bounds. Microsoft is trying to release several formats only playable in their, or compliant, players. Now that basic HTML browsing is pretty well established, audio and video will be the next area to look at, and MS is already heading there. Your settlement seems aimed mainly at older issues.

Microsoft continues its trail in latching onto consumers in a way that they can't rid themselves entirely of it. Simply allowing OEMs or developers to customize Windows a little won't prevent MS from ingraining itself into consumers lives with formats or agreements that not only replace previously platform independent formats (MP3, MPEG, Realvideo), but also continually pour money into Microsoft's pockets. I do, however, as computer support personnel, like the inclusion of opening up the APIs to allow for a standard network protocol and the like. What I would ask is that several industry-wide standards get put in place.

1. A fair (and I do mean fair as in to the normal user, not fair as in a CEO's dream) standard for software licensing that retail software must abide by. This would include restrictions on dongles, "activation" and the like. Perhaps the "professional level" of the software could dictate what copy protection schemes could or could not be used. I don't support piracy, that's not what I mean. It's more of a fear that my \$2000 computer and \$300 OS might all of a sudden be useless because MS for whatever reason wouldn't issue me a new key. Since Windows XP will pretty much be required in a couple of years for running any newer PC, I don't think it's entirely fair in the interest of keeping computers running and compatibility to have such a potentially finicky system. For a \$7000 3D rendering application, a dongle seems reasonable though.

2. A fair system for rights control (I think none is fair, since that's how things have been since audio recording came into being). Basically I'd like to see a regulation against reaming consumers that actually pay for things.

3. Price caps for software. Again, "professional" level ranking might be needed to control it. I think it's ridiculous that a Windows and Office XP license combined cost as much as decent business machine to run them on. If applications and operating systems cost less, perhaps more people could afford to use them. Or perhaps more people would be willing to legally use applications. Many companies seem to think that a \$100-\$200 stripped down version of their program is affordable for most people. This probably wouldn't work for every single app on the earth. It would be nice if companies would offer actually affordable versions of software, but they probably never will. For things like Windows though, which as assumed before is basically a necessity, the price shouldn't be able to just jump up to half the cost of a low end computer. What's to stop MS from charging \$500 or \$1000 the next time around? OEMs would pay the licensing fee,

consumers would be forced to upgrade for certain things.

Basically, I don't think the settlement would do much in the long run . . . more needs to be done to protect the rights of the consumer. There needs to be a change in policy for digital media that actually helps the consumer rather than restrict them more. Since Microsoft is one of the worst offenders in the game of screwing customers over at the same time they make things "better", this would be a good time to institute new laws and policies for the entire industry.

MTC-00013791

From: Richard Stoner
To: Microsoft ATR
Date: 1/18/02 12:00pm
Subject: Microsoft Settlement

I believe that Microsoft should be forced to published in total the API file formats fully standardized and documented. This would allow for fair competition with other software developers and lead to more innovation. There must be strong enforcement of these rulings.

Thank you
Richard E Stoner
San Jose California 95129

MTC-00013792

From: Pat Reed
To: Microsoft ATR
Date: 1/18/02 11:57am
Subject: Microsoft settlement

Dear Mr Ashcroft—

As a retired public teacher from Crawford County, Bucyrus, Ohio, I encourage you to do all you can to get the Microsoft issue settled. It is fair to all parties and I think we should get on with business. I believe Microsoft has done more good for our government and people than harm.

Thanks for your help.
Sincerely,
Pat Reed
3233 Holmes Center Rd
Bucyrus, ohio 44820

MTC-00013793

From: Karen Feltner
To: Microsoft ATR
Date: 1/18/02 12:06pm
Subject: Microsoft settlement

Please see attached.

TMBD Computer Systems Education and Consulting, Inc.
207 North Moss Road, Suite 103
Winter Springs, Florida 32708 (407) 327-9367 (Voice)-(407) 327-9369 (FAX)
January 18, 2002
Attorney General John Ashcroft
U.S. Department of Justice Washington, DC 20530

Dear Mr. Ashcroft,

I am quite pleased that the factious lawsuit between the Department of Justice and Microsoft has ended with a settlement. It appears to me that most of the terms of the settlement are fair for both sides; I find that its greatest advantage is simply to remove the litigation from the courts. Given the inflammatory tone of the trial, it is better for those of us in the IT community, as well as for consumers in general to have this entire regrettable episode concluded. While the

settlement is fair and realistic, providing for new changes in Windows designs and reassessment of licensing agreements that were considered unfair, the best thing about the settlement is that it will be over.

I am writing to lend my support to the settlement. It is my hope that this sort of bitterness between our government and a private business should not be repeated.

Sincerely,
Karen Feltner
Office Manager

MTC-00013794

From: Sanghong, Pius A. NMIMC GS
To: "Microsoft.atr(a)usdoj.gov"
Date: 1/18/02 12:19pm
Subject: Microsoft Settlement. (A Cry of the defeated)

Is "compete on the merits" a new "phraseology" or word coinage aimed at pacifying the sniffling ant-Microsoft conglomerate of SUN, ORACLE, AOL, IBM and a string of others I don't care to mention? I have attended Seminars and work-shops at most of these corporations mentioned above. It is sad, at a humorous level, the degree of hypocrisy that prevails within these cultures. A good portion of every presentation is incomplete without the choicest interspersed infusion of real caustic sarcasm at Microsoft's expense. In spite of it, those presentations are a near impossibility without a Microsoft PowerPoint, Excel and the like. I say (If you can do better, make yours.)

IBM introduced and marketed it's various platforms. If a crystal ball could tell of declining market shears years later, IBM would have done everything to stay on top of things. If AOL only new how to eliminate competition in Internet provision, all the free-inets, and MSN included, would be history. Else, why is there so much merging, Partnering and acquiring of any sprouting establishment that has potential in the Communication "promise land"? ORACLE came up the rungs (rolling and scratching). IBM's DB2 and Microsoft's MS.SQL not withstanding. ORACLE wouldn't hesitate to tell you it's product is the only answer, anyone with an ear ought to listen to. Quality of functionality besides, it is perfectly heart worming to Conner at least 60% of the database market. Why not ?

It is a cutthroat competitive atmosphere out there. If winner can take all, why stop at 60%, 65, % or even at 95% market monopoly. Problem is, ORACLE will snatch the opportunity, if only it knew how. And I do not think they have given up that drive or hope.

SUN Micro systems parades a line of it's own platforms, ushering UNIX, or Linux and what ever else it prefers. If SUN, as well as it's back-up cheer leaders and supporters, could only come up with desk-top applications (the parallel of Microsoft Office suit, etc., etc., etc.), to market with its systems, who knows what prayer they might have in that domain? Netscape Navigator ceded to IE, just as DB2 ultimately Succumbed to Oracle. C/C++ are withering under the steam from SUN's hot coffee. Why is Microsoft so able to survive despite the array of back-stabbers? It is a human world , and we as humans have a tendency to

grudgingly concede, to something, or a strategy. We chide ourselves for, larking the foresight, for not perceiving a concept, that was glaringly available, and worst, for letting someone else beat us to it. Why didn't we think of first? Reminds me so much of little Israel, surrounded by a host of nations, that act not much better than they claim they are treated.

This concludes my say about this matter.

Thanks.

Pius (DoD, civil service)

MTC-00013795

From: Christopher Day
To: Microsoft ATR
Date: 1/18/02 12:15pm
Subject: Letter of Support Attached
CHRISTOPHER M. DAY, ESQ.
9855 Snowbound Court Vienna, VA 22181
January 18, 2001
Renata Hesse, Esq. Trial Attorney,
Antitrust Division
U.S. Department of Justice
601 D Street, NW # 1200
Washington, DC 20530
By Email: microsoft.atr@usdoj.gov
Dear Ms. Hesse:

I am an attorney in the Northern Virginia area and have heard that you have some responsibility with regard to the settlement of the Microsoft antitrust case. I would like to commend the Department of Justice for negotiating a fair and reasonable Revised Proposed Final Judgment in the case.

It is my opinion that the settlement is a fair one and should be fully enacted. Further litigation serves no party except Microsoft's direct competitors. The goal of our antitrust laws and regulations is to ultimately help the consumer through competition, not to necessarily reward other businesses that would, like to get "in on the action."

It appears that the revised proposed final judgment strikes the right balance in effectively addressing Microsoft's unacceptable practices and also preserves consumer choice. The agreement calls for uniform pricing and allows computer makers flexibility to configure Windows and promote non-Microsoft programs. Both interfaces and protocols necessary for other software to work with Windows must be disclosed, and both retaliation and exclusive agreements are prohibited. An independently appointed permanent technical committee will monitor compliance and assist with dispute resolution. The U.S. or any of the states have a right to inspect all Microsoft documents and all source code for any Microsoft program, interview any Microsoft employee, and order Microsoft to prepare any report under oath regarding any issues relating to the final judgment. Any person may complain regarding noncompliance to the Justice Department, the states and/or the technical committee and the plaintiffs can immediately initiate proceedings to hold Microsoft in contempt. While this solution may not be perfect, it is certainly preferable to the alternatives.

Thank you for your time and your efforts in this regard. Enjoy the New Year.

Sincerely,

Christopher M. Day

MTC-00013796

From: Robert Nelson
To: Microsoft ATR
Date: 1/18/02 12:17pm
Subject: Letter to DOJ
Greetings!

I just received a call from your staff, and they asked me if I had sent our letter to you. We have sent a letter to the DOJ. We looked at the e-mail, and see no address to send another copy to you.

If you would like a copy of our letter, which you have seen via e-mail, and which accuses certain competitors of attempting to undermine Microsoft in the courts, then please provide to us the address where you would like it sent.

Nothing has angered us more than the behavior of Sun, Oracle, and others. With 30 years of experience in data processing, I can tell you that I have and will continue to avoid the use of their products. This strikes a nerve with all of us.

Sincerely

Bob Nelson

Adventek, Inc.

(904) 398-8247

adventek@mediaone.net

MTC-00013797

From: Pegi Anton
To: Microsoft ATR
Date: 1/18/02 12:23pm
Subject: Microsoft Antitrust
Please review the letter enclosed.
<<Microsoft-Stop.doc>>

Pegi A. Anton

CC: tormist@ag.state.ia.us@inetgw

January 17, 2001

Hon. Colleen Kollar-Kotelly

U.S. District Court,
District of Columbia c/o Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW Suite 1200
Washington, DC 20530-0001

Dear Judge Kollar-Kotelly:

I contact you today to urge you not to settle the government's case against Microsoft. The United States Government's responsibility to enforce federal antitrust laws against monopolies is vital to protecting the rights of consumers. Our antitrust laws have protected free markets and enhanced consumer welfare in this country for more than a century. The Microsoft case is a clear example of where antitrust enforcement action is necessary to insure vigorous competition in all sectors of today's economy.

Please continue to support free enterprise and consumer rights by maintaining a fair playing field all.

Respectfully,

Pegi Anton

Cedar Rapids, Iowa

MTC-00013798

From: Robert Nelson
To: Microsoft ATR
Date: 1/18/02 12:20pm
Subject: Here is an e-mail copy
Bob Nelson Adventek, Inc. 1346 Woodward
Ave. Jacksonville, FL 32207 (904) 398-
8247

January 5, 2002

Attorney General John Ashcroft US

Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I feel that this lawsuit should never have been brought against Microsoft in the first place. To me, it seems, the suit was a result of successful lobbying by Microsoft's competitors. However, I am happy to see that the Department of Justice has finally gotten the sense to resolve this matter. The settlement has taken far too long to be reached and would have liked to see it more deferential toward Microsoft, rather than requiring Microsoft to disclose information, about internal interfaces within Windows and subjecting the company to the scrutiny of a technical review committee. However, I would hope that you would let your decision stand and not be further influenced by anti-Microsoft parties.

I'm glad to offer my opinion on this matter, and I hope that you will use your influence to encourage the rest of the states to settle their suit against Microsoft so they will finally be left alone.

Sincerely,

Robert Nelson

MTC-00013799

From: Fields, Rick
To: "microsoft.atr(a)usdoj.gov"
Date: 1/18/02 12:23pm
Subject: Comments on Microsoft Anti-Trust Suit

As a programmer in the IT industry, I have been reading most articles and news pieces I could find on this subject. Assuming that the media have not misled me, it seems that Microsoft definitely and purposefully engaged in anti-competitive practices and then tried to deny/hide such actions. If Microsoft is found to be guilty of such actions (or admits to them), Microsoft should be penalized to the point where it is greatly discouraged from ever doing such again. Whatever it takes to discourage such in the future should be done, whether it is breaking up the company, removing officers of the company, or other penalties/preventions. Microsoft should not be simply fined and monitored for a short time, the equivalent to a slap on the wrist, and then allowed to go back to anti-competitive practices.

To boil my opinion down: If Microsoft has engaged in anti-competitive practices, any means necessary to ensure they don't do it again should be used, just short of destroying the company.

Thank you,

Rick Fields

Programmer

fields@texas.net

MTC-00013801

From: Kathy Pyle
To: "microsoft.atr(a)usdoj.gov"
Date: 1/18/02 12:27pm
Subject: Comment on the Microsoft anti-trust case

We just received a flyer from Americans for Technology Leadership, and I decided to let you know my impressions of the anti-trust case. Let me first say that the flyer was very irritating—just another Microsoft ploy to get the American public on their side. Of course,

I checked out the website for this organization and found that Microsoft is a founding member. I wonder how much money Microsoft put towards this advertising campaign.

In regards to the US vs Microsoft, I definitely think that our government backed down to Microsoft's big money. This settlement is not fair, and definitely does little to really punish Microsoft. This company keeps making crappy product, which they can do because they have monopolized the market. Let there be no doubt—I believe that Microsoft has monopolized the market! And please note that this comment comes from a technology reseller who sells Microsoft product.

This flyer I received just confirms my understanding that Microsoft has not been punished. They are still spending millions of dollars to defend their position. Funny that they have so much money to waste; they are obviously price-gouging because they have eliminated any real competition. Why are they spending these millions unless they are guilty?

Kathy Pyle
Aptus Corporation
Phone: 320-240-1022
Fax: 320-240-1022
kathyp@aptusnet.com
<mailto:kathyp@aptusnet.com>

MTC-00013802

From: Tony Wren
To: Microsoft ATR
Date: 1/18/02 12:31pm
Subject: Microsoft Settlement
To Whom It May Concern:

On January 9, 2002, Robert Lewis, a commentator and management consultant who writes for "InfoWorld," a widely-read technology industry trade weekly, posted the following column. I am including it here for the sake of clarity, with my comments following.

"YOUR HONOR, we find the defendant incredibly guilty!"

Jury foreman, Mel Brooks" The Producers
NEXT TIME I get a traffic ticket, here's what I'll say in court: "Your honor, the court has found me guilty. I disagree. Also, I disagree in principle with the existence of speed limits on our nation's highways. Several theorists claim that highway traffic should be self-regulating—we should allow the overall flow of traffic to determine each driver's speed.

"In the case of the U.S. Department of Justice v. Microsoft, the courts established the precedent that when the defendant disagrees with both the law and the finding of the court, the prosecution and guilty party must negotiate as equals to define a settlement agreeable to both parties. I request the court to handle this case the same way."

Think it will work? Me neither.

Regardless of whether you think antitrust laws are a mistake, obsolete, or inapplicable to the software industry and regardless of whether you personally think Microsoft was actually guilty or not, the outcome of the Department of Justice v. Microsoft was unambiguously disgraceful. With the departure of Joel Klein as lead prosecutor, and U.S. District Judge Thomas Penfield

Jackson—the Lance Ito of antitrust — as judge, the fix was in. Microsoft said, "Play dead!" and our government's executive branch—controlled, ironically enough, by the law "n order party—obeyed. From this point forward, Microsoft has no constraints in its use of nonmarket forces to buttress its market position.

As just one example, take a look at Microsoft's investment in Corel. Almost immediately, Corel discontinued WordPerfect Office for Linux. Because Apple, in its ongoing quest for marketplace irrelevance, persistently snubs corporate IT, Linux is the only significant threat to Windows on the desktop. Which means that just as CIOs and CTOs—faced with increasingly onerous licensing terms from Microsoft—are searching for a credible way to at least threaten to take their business elsewhere, Corel is running away from the opportunity. Instead, it's trying to sell WordPerfect head-to-head against Microsoft in the Windows environment—a battle it has already lost. Pardon me for being suspicious.

For several years I've predicted an impending implosion for Microsoft. I still see serious problems for the company: Microsoft is hemmed in on the server front and has such limited potential for growth on the desktop that it has turned to the only alternative it could think of: predatory licensing. Its problems, however, have receded now that our government has a "for rent" sign in the front yard that lets Microsoft obey—and require its customers and competitors to obey—only those laws it finds convenient.

My comments:

Ever since the settlement between the Department of Justice and Microsoft was announced, I have felt like a victim that has been asked to pay for the losses incurred by the burglar that has been found guilty of robbing me, and to pay for what he stole from me as well. Mr. Lewis' article expresses that sentiment succinctly.

The stated goal of the settlement was to ensure a competitive environment in the technology industry. As an observer and technology consumer for the past 35 years (as a student, researcher and now an academic), I can assure you that the settlement will do nothing of the kind.

The only competitor to Microsoft that has any market share at all is Apple Computer, and their share is steadily falling (from 20% ten years ago to less than 5% at this time). Apple's new UNIX-based operating system, OS X, could compete with Microsoft's Windows under the proposed 9-State Settlement, and help restore some innovation to the industry. But if the status quo continues, MS will re-assert its dominance and its illegal practices, with devastating effect on our economy. Some have said that it is already doing so, although I am not in a position to verify such claims. These facts have become increasingly obvious to impartial observers. Bob Lewis is just such an observer. I have been reading his columns for years, and trust him because he is rarely wrong.

To put it bluntly, the proposed settlement places the current DOJ personnel in a very poor light: observers are universally reporting

that the attorneys in charge of this case are behaving as if they are either incompetent or corrupt. As a taxpayer and consumer, listening to the near-unanimous condemnation of the proposed settlement, and adding my own experiences, I am forced to come to the same conclusion.

I hope that you will reconsider this poorly-conceived settlement and prove the critics wrong.

Sincerely,
Tony Wren
Chair, Department of Physical Sciences
3536 Butte Campus Drive
Oroville CA 95965-8399
Office: (530) 895-2422
Fax: (530) 895-2472

MTC-00013804

From: Scott Rosenberg
To: Microsoft ATR
Date: 1/18/02 12:36pm
Subject: Microsoft settlement

This article published on Salon.com on 1/16/02 represents my comments on the proposed antitrust settlement that I would like to submit for the record. Thank you!

Scott Rosenberg
managing editor,
salon.com 415-645-9240
scottr@salon.com
Chips ahoy

AMD competes with Intel, and the public wins. The right Microsoft antitrust settlement can bring the same energy back to the software market.

By Scott Rosenberg

Jan. 16, 2002 ??? The personal computer industry may be in its worst slump in history, but you wouldn't know it by following the news from the processor wars. Over the past two years, Intel and AMD have unleashed an incredible competitive cycle in Silicon Valley. In case you missed it, last Week these two chip companies offered dueling releases of new flagship processors: Intel unveiled its fastest Pentium 4 yet, running at 2.2 gigahertz and built with a new .13 micron process that crams even more transistors into an even smaller space. AMD, extending the huge success and popularity of its Athlon line and the Athlon's most recent and powerful incarnation, Athlon XP, announced the XP 2000—a chip that actually runs at 1.67 gigahertz but, third-party tests show, nearly keeps up with the 2.2 ghz Pentium 4 in most tasks (and even surpasses it in some).

What's going on here is simple: Good old-fashioned competition drives engineers to continue to work miracles. Intel, the market-dominating behemoth, has always pushed new, improved products out the door faster—and dropped prices more readily—when it feels the breath of a credible competitor on its neck. For many years the competition was feeble, but that changed when AMD's Duron and Athlon chips began giving Intel a run for its money—and, for a time in 2001, actually bested Intel for the fastest personal-computer chip title.

Today, these two companies keep spurring each other on, and consumers win big. For most of us, that's all we need to know: Computers keep getting faster and cheaper. The details are of interest only to the legions

of hardware nuts, high-performance system geeks and chip-overclocking fans who flock to the Web's hardware review sites. Right?

Well, the gigahertz specs may indeed be only geek fodder, but the other details of the Intel-AMD rivalry should be of keen interest to a much bigger crowd. That's because the competitive heat driving the processor market puts the relative frigidity of another part of the computer business into bold relief. I refer, of course, to the business of designing personal-computer operating systems—a business that Microsoft has dominated for years and that, according to the confirmed verdict of our federal courts, it now monopolizes.

What if Microsoft were challenged as strongly on its home turf as AMD is now challenging Intel? What innovations, improvements and price reductions would the public enjoy that it doesn't, today, thanks to the Microsoft monopoly? This is the big question that hangs over the continuing struggle to find a meaningful outcome to the endless Microsoft antitrust saga. And the AMD/Intel analogy is worth pursuing to try to find some answers.

Microsoft and its supporters, of course, maintain that the monopoly label is misplaced. After all, can't you buy a Macintosh without buying Microsoft Windows? Can't you obtain a PC and fire it up with any of a dozen versions of Linux or other Unix-style operating systems? Sure you can—and each of those operating-system alternatives has its partisans. But for use by individuals on their personal desktops, Microsoft Windows holds the overwhelming market share—by nearly every estimate, over 90 percent. Is that simply because Windows is superior to the alternatives? There are certainly people who believe that; and, to be sure, with the release of Windows XP last year, Microsoft finally moved its flagship operating system off the aging and increasingly unstable code base it had inherited from its infancy and onto the relatively more reliable Windows NT/Windows 2000 core.

But how much faster might Microsoft have achieved that improvement if it was racing a tough competitor? And how much more incentive might the company have to produce more secure, less virus-vulnerable products today?

The historical record is quite clear (and the antitrust trial record is just as clear): The central reason Windows has maintained and extended its market share over the years is not product superiority but a concept economists call "lock-in." Once you have all your data and all your software applications on one operating system or "platform," moving to a different one is painful—it takes time and effort and money (as economists say, your "switching cost" is high). Over the years Microsoft has not had to push harder and faster to improve Windows because it knew that its customers were unlikely to make a fast switch to a competitor.

Now, that picture would be very different if you could somehow reduce or eliminate those switching costs. What if competing operating systems could seamlessly and interchangeably run the same programs and

utilize the same data files that Windows does?

Here's where the Intel/AMD analogy comes in handy. These manufacturers compete to provide chips that can run the same computer programs—known loosely as "x86 compatible" code—and that retain compatibility with hardware like expansion boards and peripheral devices. If you needed to write different versions of each piece of software and manufacture different versions of each piece of accompanying hardware—one that would work with Intel's chips and one that would work with AMD's—the whole competitive market would disappear. The weaker player (presumably AMD) would vanish and—presto!—Intel would have a monopoly as tough as Microsoft's.

This relatively level playing field in the x86-compatible processor business did not come about by sheer happenstance. The semiconductor industry is marked by a Byzantine pattern of patent cross-licensing agreements; they provide permanent employment for legions of lawyers, and laymen seek to understand them only at great peril. What's important about them, however, is not how they came about but that they work.

Now that the federal courts are trying to figure out an effective remedy for Microsoft's abuse of its monopoly powers, the competition between Intel and AMD provides a valuable model. How would one go about enabling Microsoft's rivals to compete with it as effectively as AMD is competing with Intel?

The key here is something known as the Windows API (or "applications programming interface")—the set of instructions that Windows programs use to "talk to" the operating system. The Windows API has long been a murky issue: Microsoft has always provided some information to independent developers—it has to if third-party Windows programs are going to work. But Microsoft can and does muck around with the API, changing things that break competitors' products, anytime it wants to. And rumors have long buzzed, without ever being nailed down, that Microsoft's own developers take advantage of so-called hidden APIs that non-Microsoft coders can't use. The Justice Department's proposed antitrust settlement with Microsoft seems to demand that Microsoft do more to open up its APIs to competitors. But the fine print makes it clear that Microsoft could pretty much continue with business as usual. A more effective remedy would be one that required Microsoft to standardize and publicize the entire set of Windows APIs and the file formats of its Office applications (another key to Microsoft's monopoly "lock-in")—with the express goal of allowing competitors to build Windows software applications, and operating systems, that compete with Microsoft on a level field.

Such a plan would require careful oversight and enforcement, since Microsoft could easily engage in all manner of foot-dragging. If Microsoft set out to be uncooperative, it could release the API information slowly, in deliberately confusing ways, or in a "Good Soldier Svejk" fashion—assiduously following the letter of the

court's order while flagrantly violating its spirit. (There's precedent here: This is precisely how Microsoft behaved during the trial when it told the court that, sure, it would supply a version of Windows with Internet Explorer removed from its guts, but gee, sorry, then Windows wouldn't work.)

Now, I can already hear the howls from the Microsoft corner that this plan is evil and un-American because it forces Microsoft to give up some of its intellectual property. Well, yes. Microsoft is in court as a repeat offender; the current antitrust suit, in which a federal district court and an appeals court have both affirmed that Microsoft is a monopoly and that it has abused its monopoly powers, arose out of the failure of a previous consent-decree settlement of an earlier antitrust case. At some point, having repeatedly violated the law, Microsoft needs to pay a price, or it will continue with its profitably anticompetitive ways.

There's no reason to think the Justice Department's proposed settlement will work any better than the consent decree of last decade did. And financial penalties can hardly wound a company that is sitting on a cash hoard of tens of billions of dollars. But intellectual property—that's something Bill Gates and his team really care about. Requiring them to divulge some of it in order to restore competition in the software market might actually get them to change the way they operate. With Microsoft's APIs and file formats fully standardized, documented and published, other software vendors could compete fairly—which, after all, is what antitrust laws are supposed to promote. We might then be faced with a welcome but long unfamiliar sight: a healthy software market, driven, as today's processor market is, by genuine competition.

Scott Rosenberg
managing editor/Senior VP Editorial
Operations

Salon.com scott@salon.com

MTC-00013805

From: R. P. Bell
To: Microsoft ATR
Date: 1/18/02 12:35pm
Subject: Microsoft Settlement

Over twenty years of computing experience, primarily within the DOS/Windows environment—because I had very little choice otherwise—has taught me that the real growth of Microsoft has been on the backs and over the protests of "the little guy." The truth is, there were simply no alternatives to Microsoft, and in spite of the growing financial coffers of Microsoft, there has been a relentless cycle of upgrading expense that has finally grown to the point of absurdity.

In 1987, I began a small computer consulting firm that eventually became a corporation. Our target vertical market, law enforcement records management and municipal accounting, was just coming into its own (especially in small departments and municipalities). Usually, we would install Novell as the internal network. Experience proved that Novell was a company with substantial technical savvy and a commitment to client satisfaction. Novell was a company that had truly pioneered the

network opportunity, offering substantial benefits to those who were motivated to learn and market their cutting-edge technological products. In spite of the great declines in Novell's market position, primarily as a result of the predatory practices of Microsoft, it continues to be a world-leader in networking technology, driving technological advancement with products and features that Microsoft can only dream of having.

We also utilized the fantastically powerful features of WordPerfect, and clients that persevered to learn the power of WordPerfect were never disappointed. Many of us were absolutely thrilled to hear that Novell had acquired WordPerfect, trusting that a knowledgeable market would recognise a true alternative to Microsoft's growing power in the marketplace. The great majority of problems we encountered in our installations were the result of the changing target of Microsoft, changes that I personally believe were a part of a vast corporate mindset in Microsoft—probably driven by the egos of Bill Gates, Steve Ballmer and a few others—that intentionally stifled competition by constantly changing the rules of the game. Because these were corporate decisions, and the only products that could anticipate these changes were, in fact, Microsoft products, the die was cast.

I have used Microsoft products since DOS version 2, and was an early user of Windows(tm). Because of so-called "business compatibility issues," I abandoned Macintosh, and stored my Macintosh Plus in the closet, over 12 years ago; but have recently come back to the Macintosh environment. This decision was compelled by Microsoft's relentless push to control my personal computing life. I have been a savvy user of Microsoft products, but I learned long ago not to have any confidence in the "security" of any product Microsoft puts its hand to.

The current security issues with Microsoft products are the logical outcome of a corporate mindset that has never been driven to technological excellence. I personally believe that Microsoft is a corporation that has never produced a single technical breakthrough. I don't believe the person lives who can point to a single innovation in Microsoft technology, software environment, network security—ANYTHING—that Microsoft did not obtain from the wisdom and efforts of others. To the contrary, it has blatantly robbed and unconscionably stolen, lifted, copied, or otherwise acquired the technical innovations of others, including Xerox, IBM, Apple, Novell, WordPerfect, dBase and a litany of others.

Frankly, I was STUNNED that the court would even consider Microsoft's ridiculous offer of \$1 Billion to buy its way into the one market where it does not have a majority standing. According, I was THRILLED to hear that Microsoft's stonewalling in negotiation forced a wise judge to throw out the entire offer.

Microsoft needs to be hit where it hurts the most. Individual consumers on whom Microsoft has built its empire have funded Microsoft's growth through exorbitant fees and charges, even as alternate sources of product and services have fallen under the

blows of Microsoft monopoly. There should be substantial fines, limited attorney's fees, specific and substantial refunds (including interest and penalties) to "legal" users of Microsoft products, substantial limitations on licensing requirements that unduly stifle competition and/or competitive choice by the consumer, and enough clout within those penalties to insure that these offenses will never happen again.

Respectfully submitted,
Royce P. Bell
Email rpbell@earthlink.net

MTC-00013807

From: sal91@juno.com@inetgw
To: Microsoft ATR
Date: 1/18/02 12:36pm
Subject: Microsoft Settlement.

I have been very annoyed by Microsoft for years. I could see, and many others also probably, that Microsoft was using bullying tactics with their software. I don't want to take away any credit from Bill Gates and his crew. Windows is a wonderful concept. Certainly a milestone in mankind's communication ability. But, they apparently tried to stifle competition. I remember when firms competed by striving to improve their product. Never resting on their laurels, but continuing to refine product.

If Microsoft gets away with just a slap on the wrist by government, it will send the wrong message to other companies who might also try stonewalling authority. Don't let them laugh at us all the way to the bank. (As if they haven't done that already.)

Harold G. Saltus
West Palm Beach, Florida.

MTC-00013808

From: malppert@bestweb.net@inetgw
To: Microsoft ATR
Date: 1/18/02 12:32pm
Subject: Microsoft Settlement

I strongly feel that it was Microsoft which led the Us into preeminence in the field of information and personal computing—the only field in which this country still leads. All the other companies have benefitted from this leadership. Costs for more advanced equipment and software are always relatively less for better and more. Microsoft leads and has led because it did better thought better and was there first. To punish innovation to me is suicidal. I am a tockholder in Microsoft because early on we saw its potential and we have been rewarded for our vision. Why should Microsoft be punished for its vision?

MTC-00013809

From: Rlundberg@prodigy.net@inetgw
To: Microsoft ATR
Date: 1/18/02 12:32pm
Subject: Microsoft Settlement

As a 73 year old consultant who has no affiliation to Microsoft I want this suit resolved fast. As a consumer my productivity has been enhanced enormously by Microsoft operating systems and applications and I want them to continue innovating. I do not know of a single consumer who has suffered through Microsoft's actions in the marketplace. This lawsuit should never have reached this stage. End it now!

MTC-00013810

From: Randy—Tripp@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/18/02 12:32pm
Subject: Microsoft Settlement

Why would you want to continue going after one of the hallmark companies in the United States. From what I can tell not one consumer was dissatisfied just whining competitors that couldn't be creative enough with their strategies to win against Microsoft and a room full of state politicians that see the potential for another handout from a successful company with deep pockets. The Clinton administration wasted our tax dollars pursuing this case; don't do the same. Settle and move on. Our country has bigger problems that slapping the hands of Bill Gates.

MTC-00013811

From: rholiusa@aol.com@inetgw
To: Microsoft ATR
Date: 1/18/02 12:32pm
Subject: Microsoft Settlement

It seems to me that it is time to give up this witch-hunt by the time this action is finally settled the issues in question will have long been decided or superceded by time technological advancements or even lack of interest. The DOJ and the various Attorneys-General should spend their time and OUR money on the pursuit of real criminals those whose crimes affect the truly innocent. After all who is truly hurt by having a computer that is easier to use?

MTC-00013812

From: randy@alpenrose.com@inetgw
To: Microsoft ATR
Date: 1/18/02 12:32pm
Subject: Microsoft Settlement

Microsoft has been good for the consumer. Its product line innovations and customer support are #1. I've in no way been hurt by Microsofts actions to the contrary I've been helped. No company I've delt with has been easier to contact and solve my problems. Please lighten up.

Randy

MTC-00013813

From: kobeshin@earthlink.net@inetgw
To: Microsoft ATR
Date: 1/18/02 12:32pm
Subject: Microsoft Settlement

Dear Ms. Hesse:

I believe the agreement reached between the Department of Justice and Microsoft was in the best interest of us consumers. The judicial system should not be interfering in the software business. The market is more than capable to decide what it wants. I believe the whole trial was due to the complaining and whining of Microsoft's competitors. They should concentrate more on their business and let the Justice Department concentrate on more important matters. Thank you for a job well done

Meena Shin

MTC-00013814

From: NasaRulz@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/18/02 12:32pm
Subject: Microsoft Settlement

I think you should just wrap the case up and move on to more important reviews like Enron. I believe the reason Microsoft was ever brought to trial was because its competitors didn't like that Microsoft is the Industry Leader and therefore should have the market lead on technology. I SAY CLOSE THE MICROSOFT CASE!!!

MTC-00013815

From: rdaughtr@bcpl.net@inetgw
To: Microsoft ATR
Date: 1/18/02 12:32pm
Subject: Microsoft Settlement

I strongly believe it is time for the DOJ to end the Microsoft case. I can think of no single company who has contributed so much to our economy and growth. Microsoft through their innovative research has created literally thousands of jobs, created billions in tax revenues and will continue to help our economy grow. The proposed settlement agreed to by many politicians should be more than fair. Let us dwell upon the real problems facing us instead of trying to ruin a progressive innovative organization.

Thank you!

MTC-00013816

From: everydaynow@worldnet.att.net@inetgw
To: Microsoft ATR
Date: 1/18/02 12:32pm
Subject: Microsoft Settlement

I believe that the Microsoft settlement is very fair and that this whole antitrust matter with Microsoft should be resolved as expeditiously as possible. I believe that as one of the United States premier software and technology providers Microsoft has not injured any consumers and that in fact Microsoft continues to help and assist U.S. consumers on a daily basis. I utilize Microsoft products myself on a daily basis and I find them to be excellent products with a reasonable cost. I believe that the U.S. government should STOP harassing Microsoft as further legal actions against Microsoft hurts consumers and our U.S. economy.

MTC-00013817

From: ament2@juno.com@inetgw
To: Microsoft ATR
Date: 1/18/02 12:32pm
Subject: Microsoft Settlement

We must support microsoft to become and stay a world company, otherwise other countries will be leading we become second in software like in the wireless industry; Germany, Japan, and Sweden are in front of us. Just install an oversight board and help Microsoft. Also require that Microsoft reinvests their profits in the USA.

Best of luck,
Werner Ament

MTC-00013818

From: everydaynow@worldnet.att.net@inetgw
To: Microsoft ATR
Date: 1/18/02 12:32pm
Subject: Microsoft Settlement

I believe in endorsing the Microsoft antitrust court settlement because I believe that it is a reasonable settlement in the public's interest. I believe that the U.S.

government's action against Microsoft was frivolous and unnecessary in the first place. I believe that the government's actions against Microsoft were harmful to consumers and the U. S. economy. Continued governmental interference and action against Microsoft is wrong.

MTC-00013819

From: jdenney@scisys.net@inetgw
To: Microsoft ATR
Date: 1/18/02 12:32pm
Subject: Microsoft Settlement

The settlement should end this waste of taxpayer money. Why discourage companies from being the best? That's what competition and the American way is all about. In 10 years if linux is the top seller and everyone wants their product will the government try to beat them down too? What if Bill Gates said he'd had all this crap he wanted and took his marbles and went home. . . where would we be then? The govt would be begging him to come back when the world came to a halt. Think about it. They have a right to try to make the best product and then to market it and if the public likes it and buys it so be it. Enough is enough.

MTC-00013820

From: Sirvaco@aol.com@inetgw
To: Microsoft ATR
Date: 1/18/02 12:41pm
Subject: Microsoft Settlement

From any viewpoint the settlement agreement with Microsoft seems fair and acceptable to the American public. It would appear that the motivations for the States to reject this agreement is based on other considerations not based on fairness and acceptability to the American people. Let's end this once and for all. Just how much money do the states think Microsoft can be extorted for?

W.E.Sirvatka
CC:MSFIN@microsoft.com@inetgw

MTC-00013821

From: rflor@scisyscomputergroup.com@inetgw
To: Microsoft ATR
Date: 1/18/02 12:32pm
Subject: Microsoft Settlement

I agree with the settlement. Microsoft needs to get on with business.

MTC-00013822

From: wjd423@aol.com@inetgw
To: Microsoft ATR
Date: 1/18/02 12:32pm
Subject: Microsoft Settlement

Leave Microsoft alone and help the economy. Settle this fairly now.

MTC-00013823

From: jeanmiyake@msn.com@inetgw
To: Microsoft ATR
Date: 1/18/02 12:32pm
Subject: Microsoft Settlement

As a consumer I endorse the settlement terms so that this antitrust case can be ended. It is fair and reasonable. It does not favor Microsoft—it favors consumers such as myself. Let's get this matter over as soon as possible.

Thank you.

MTC-00013824

From: j.d.g.kent@troamail.org@inetgw
To: Microsoft ATR
Date: 1/18/02 12:32pm
Subject: Microsoft Settlement

Dear Ms. Hesse:

I am opposed to continuation of the litigation against Microsoft. In my judgement it is a detriment to the stock market and Americans in general who rightfully enjoy the fruits of US technological leadership. I see this issue as satisfying the position oft heard these days that there are far too many lawyers; too many lawyers making too many laws and too many lawyers adjudicating our laws.

Thank you for this opportunity to be heard.

MTC-00013825

From: redbell@cox.net@inetgw
To: Microsoft ATR
Date: 1/18/02 12:32pm
Subject: Microsoft Settlement

Microsoft made computing so average people could use and benefit from it. Its time for the also ran to lay off. Let the complainers invent their own. Leave Microsoft alone.

MTC-00013826

From: vince1@bignet.net@inetgw
To: Microsoft ATR
Date: 1/18/02 12:32pm
Subject: Microsoft Settlement

IF IT WASN'T FOR BILL GATES AND WINDOWS I WOULDN'T HAVE A COMPUTER.

MTC-00013827

From: LDLackey@aol.com@inetgw
To: Microsoft ATR
Date: 1/18/02 12:32pm
Subject: Microsoft Settlement

Do not settle. Microsoft products are terrible because they have a monopoly. My system crashes at least 5 times per day. In a competitive situation this would never happen. Please don't settle with Microsoft giving one cent on a dollar settlement. We must have competition in this market because it is to important to your country.

Thank you.

MTC-00013828

From: rhoss1@wk.net@inetgw
To: Microsoft ATR
Date: 1/18/02 12:33pm
Subject: Microsoft Settlement

I think that the lawsuits against Microsoft are a joke! And I also believe that America should be run by Americans .If we don't take America back, in ten years there is not going to be an America Land of the Free! Because if Bill Gates invented Microsoft and got rich then that is the American way right? America is not run by Americans It been taken over by the Jewish people! It seems that they don't want us Americans to make it in our own country.You can look it up if you don't believe this. But the Jewish people own everything that makes money and I mean everything.We have got to wake up, people and take America back! The Internet is the only place that is left that has Free Speech. What you read and watch on TV is what they want you to see. The United Jewish American States has screwed Bill Gates out of his American Dream! I am sick of it!!!

Sonthron#1

MTC-00013829

From: zenrgy@netscape.com@inetgw
 To: Microsoft ATR
 Date: 1/18/02 12:33pm
 Subject: Microsoft Settlement

I don't even know why I'm wasting my time doing this. But I feel we can't ignore Microsoft's activities. They are getting stronger, everyday. Current settlement isn't acceptable. It does nothing to actually hold Microsoft accountable for having been found guilty of being a predatory monopoly. Their motto is BEAT EM, BUST EM, THAT'S OUR CUSTOM. They are the Evil Empire. Look at their relationship with Apple. It was all a muze. He's afraid of AOL Time Warner. His NEW OS XP has made it impossible for their DSL/Cable service to operate on the system. They must be controlled. They have struck deals with Universities to supply software to students at 5.00 a disk. What a human gesture on the surface but you become addicted to using his product and when you leave school and have a FAMILY EVERYBODY is using his product because it's theirs why change etc. etc. we need more options and he buys them out. Like Corel. Can't touch Lotus. its IBM's. It sucks, so does MS.

MTC-00013830

From: fernandoechegara@yahoo.com@inetgw
 To: Microsoft ATR
 Date: 1/18/02 12:33pm
 Subject: Microsoft Settlement

please finish this case that does not benefit anyone and taxpayer money is wasted that can be used for real needs. Microsoft is a corporation that innovates and creates new technology for the masses and me as consumer want this lawsuit settled. Microsoft did nothing wrong but innovate.

Sincerely
 Fernando A. Echegaray
 Orlando FL.

MTC-00013831

From: marktrowbridge@goodyear.com@inetgw
 To: Microsoft ATR
 Date: 1/18/02 12:33pm
 Subject: Microsoft Settlement

The effort put forth has resulted in an equitable settlement. I applaud the efforts of those involved. I certainly trust that we will continue to see innovation at low cost from our friends at Microsoft.

MTC-00013832

From: dsi@decisionssciences.com@inetgw
 To: Microsoft ATR
 Date: 1/18/02 12:32pm
 Subject: Microsoft Settlement

I believe the Give-a-way settlement proposed by the US Justice Dept is bad for this country and bad for the industry. When I see the thousands of hours and hundreds of thousands of dollars wasted at my client's IT shops because of Windows and windows related problems, there is little doubt that a competitive marketplace is badly needed.

MTC-00013833

From: kayak44@netzero.net@inetgw
 To: Microsoft ATR

Date: 1/18/02 12:33pm
 Subject: Microsoft Settlement

Enough is enough!! You're wasting taxpayer money and the states AGs are getting ink for their political ambitions

MTC-00013834

From: james—younkink@hotmail.com@inetgw
 To: Microsoft ATR
 Date: 1/18/02 12:33pm
 Subject: Microsoft Settlement

I think the settlement is fair and both sides made compromises. It's time to move on and stop wasting tax dollars on issues like this that amount to nothing more than other software companies using everybody's tax dollars to fight the competition. Over the past 3+ years the general feeling I get from friends family and even strangers is that this whole case was a waste of our tax dollars. I believe the events of Sept 11 proved we should have been using more tax dollars to stop terrorist organizations who want to kill consumers rather than harass US companies that provide goods and services, not to mention the large charitable contributions they give back to our consumers. I believe we are much better off today with Microsoft than we would have been without it. We need to leave all high tech companies alone and let them compete on their own merits. It's time for the DOJ to move on an deal with more important matters like investigating pharmaceutical and fuel companies. I guarantee you that most consumers would agree. We're tired of getting milked by these companies and their prices. It's nice to see we can now at least get cheaper prescription drugs from Canada (due to a recent constructive change in our US laws/regulations). Now when are we going to have more options for getting cheaper and/or alternate fuels?

Thanks
 James Younkink.

MTC-00013835

From: leslie613883@cs.com@inetgw
 To: Microsoft ATR
 Date: 1/18/02 12:33pm
 Subject: Microsoft Settlement

DEAR MR.ASHCROFT:
 IT HAS HAS BEEN YEARS THAT THE ANTI-TRUST CASE CONCERNING MICROSOFT HAS GONE ON. I WOULD LIKE TO SEE A SETTLEMENT WHERE THE GOVERNMENT STAYS OUT OF COMPANIES COMPETING FOR BUSINESS. THE GOVERNMENT AT THIS TIME HAS SERIOUS PROBLEMS CONCERNING OUR SAFETY. LET'S PUT THIS CASE TO REST AND LET MICROSOFT GET ON WITH INNOVATIONS TO THEIR PRODUCTS. I IMPORE YOU TO DROP THE CASE AGAINST MICROSOFT AND GET ON WITH FIGHTING TERRORISM.
 LESLIE GREENBAUMN

MTC-00013836

From: Garniedottie@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/18/02 12:33pm
 Subject: Microsoft Settlement

We believe the settlement is fair and reasonable and the compromise is in the best interest of everyone, especially the consumer! We believe that Microsoft got a bad deal from the government anyway

MTC-00013837

From: jduffy@mau.com@inetgw
 To: Microsoft ATR
 Date: 1/18/02 12:33pm
 Subject: Microsoft Settlement

The settlement is acceptable but the disturbing aspect is the manner in which the United States government goes after organizations that have built successful ventures. The apparent reason is to level the field and give everyone an equal opportunity. When considering the willingness to devote lives to ventures that others will not do or have the inability to accomplish meaningful goals, the result gives the appearance of a disincentive. Microsoft gave an opportunity to IBM and was rejected so they went their own way. Now a settlement has been developed which is already out of date because of the Microsoft competitors moving forward with their own agendas and developments. We are creating a system where the success of some is penalized because others have not the same ability or desire to advance their own programs. The public has always had the ability to purchase other equipment and chose not to.

I own no Microsoft stock nor know anyone in the organization. However I am concerned with the system in place to destroy success which had it been in place years ago, would have prevented the United States from being the most successful and innovative nation in the world. Socialism has failed.

MTC-00013838

From: dmelfi@promot.com@inetgw
 To: Microsoft ATR
 Date: 1/18/02 12:33pm
 Subject: Microsoft Settlement

Justice:
 1) No evidence consumer has suffered ANY injuries. Net cost of computing is lower every year.

2) Strong evidence that motivation of States and Justice is competitor based and not consumer/citizen based.

3) Strong evidence an uncoordinated fractured platform product will cause consumer extraordinary grief and confusion as many inferior conflicting products and vendors bombard them with nonsense. (Evidence AMD's new creative rating of their processor that does NOTHING but confuse).

Microsoft having control of the industry they invented cannot produce a negative consumer impact. What do you REALLY want the consumer to deal with LINUX?

Dom

MTC-00013839

From: csachs@skuld.innoved.org@inetgw
 To: Microsoft ATR
 Date: 1/18/02 12:33pm
 Subject: Microsoft Settlement

To whom it may concern:
 The anti-trust settlement for Microsoft's monopolistic practices is a travesty. Not only does it promote the products of this company but it undermines the hard earned place in the Educational arena that other companies have long invested in. Microsoft gets a free backdoor entry into this market where children will grow up using their products to continue to do so long into their adult lives, much as drug pushers seek to give freebies

to children to get them hooked. The settlement does NOTHING to stop or mediate the unscrupulous and monopolistic practices of Microsoft. Rather it REWARDS the company by allowing it to flood the poorest schools with their products (generating future revenues when these children grow up) and turns what should be a PR disaster into a PR dream (Microsoft helping out education the poor etc.) If Microsoft were at all concerned about these children they would GIVE the products to the schools with NO STRINGS attached. This is not altruism—this is self-serving investment into the future growth of Microsoft Inc.

I urge the settlement be scrapped or the ante upped substantially by requiring Microsoft to invest in the schools by putting COMPETITOR products into the classrooms and NO MICROSOFT PRODUCTS.

MTC-00013840

From: wsnipes72@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/18/02 12:33pm
Subject: Microsoft Settlement

I have a hard time figuring what this great country is trying to do. Yes monopolies are supposed to be illegal and not allowed. You have done that with Ma Bell and now Microsoft, but everyday airlines, banks, corporations, etc. are buying each other up and eliminating competition calling it a good move for our country.

This creates more specialization, less competition, and higher prices. If you are stopping one big domination, then why not start stopping the mergers so other monopolies can't get started.

MTC-00013841

From: bnicholl@sprynet.com@inetgw
To: Microsoft ATR
Date: 1/18/02 12:33pm
Subject: Microsoft Settlement

Let Microsoft continue to engage in the free market system and we will all benefit from less intrusive governmental regulations !!

MTC-00013842

From: petenewton@earthlink.net@inetgw
To: Microsoft ATR
Date: 1/18/02 12:33pm
Subject: Microsoft Settlement

I think the settlement is fair and that the harassment of Microsoft should be stopped.

MTC-00013843

From: bigangel@kc.rr.com@inetgw
To: Microsoft ATR
Date: 1/18/02 12:33pm
Subject: Microsoft Settlement

Microsoft has become the successful company that it is today because of creative ideas, careful planning, attention to detail during development and testing of their products, and quality output far superior to its competitor's products and services. Even after the release of a product Microsoft continues to assist the consumer by providing continuous support and assistance through the Internet email and customer support. As a consumer of many of Microsoft's products and services in NO way have I been harmed in the manner the government's lawsuit states. The Democratic party and its notion that the government

should be in control of everyone and their money is the real monopoly. I also feel this lawsuit is just the government's first step in an attempt to ultimately control the Internet. It's obvious the government and laws have not been able to keep pace with technology and this lawsuit is just a way for them to slow down the rapid advancement it can't keep up with.

Microsoft should be free to continue to make their creative ideas become a reality. Ending this law suit will only aid in the swift recovery of our economy and that will benefit everyone, even Microsoft's competition.

Lisa A. Harpold
Overland Park, KS

MTC-00013844

From: Lester Housel
To: "microsoft.atr(a)usdoj.gov", 'AG'
Date: 1/18/02 12:57pm
Subject: RE: Microsoft- settle this case quickly and fairly.

The DOJ vs IBM case dragged out for 12 years with NO real conclusion other than draining taxpayers and corporate resources. The DOJ (9 states) vs Microsoft is another example of the same litigation in my opinion. The consumers and the investors "suffer" rather than receive protection. What this really does is slowdown product innovation and development in the technology industry. Competitors need to have better products at better prices, rather than use "public" funds to fight their battles for them.

This case needs settled quickly and fairly so that our economy can return to more positive growth instead on continued uncertainty.

From: AG [SMTP:AG@oag.state.fl.us]
Sent: Friday, January 18, 2002 12:05 PM
To: lhousel@earthlink.net
Subject: Microsoft

Thank you for taking the time to e-mail the Florida Attorney General's Office regarding our involvement in the case of United States v. Microsoft Corp.

As you know, several states and the Department of Justice settled this case late last year. Because of concerns that the settlement did not assure increased opportunities for competition and innovation, Florida and eight other states are currently continuing the litigation. Trial on potential remedies is scheduled to begin in March of this year.

Without fair and open competition in the technology industry, America risks losing some of the innovation and imagination that made our nation the industrial and technological leader it is. For this reason, this office remains committed to ensuring that everything possible is done to achieve the utmost for consumers and for competition. Continuation of the Microsoft litigation at this time provides us with the opportunity to maintain that commitment to Florida's consumers.

MTC-00013845

From: Euel Ball
To: Microsoft ATR
Date: 1/18/02 1:03pm
Subject: On the Microsoft settlement.

Sirs,

After reviewing the facts of this case, and from my own opinions as one who has

observed the effects of Microsoft's monopoly on the development and use of personal computers, I believe that the ends of not only justice, but also simple human decency, would be best served by giving the plaintiff the largest penalty allowed by law. I have many reasons for believing this, the chief one being that Microsoft's de facto monopoly on the IBM operating system has stifled development of competing systems and prevented higher quality systems from reaching the marketplace.

Yours,
E. E. Ball

MTC-00013846

From: MrPIB@aol.com@inetgw
To: Microsoft ATR
Date: 1/18/02 1:03pm
Subject: Microsoft Settlement

My name is Phillip Ira Barnes. I live at 11460 Pearl St., West L.A. CA. 90064. My phone # is (H) 310-479-0258 (W) 310-394-7779 EX 514. I saw this article today and felt I needed to make my opinion known to you. I think that any punishment Microsoft gets will be nothing more than a slap on the hand. If I had any say in this process, Microsoft would be shut down and its assets sold off in auction. The worst criminals in history have been given the death penalty and I think Microsoft deserves no less. This is a company that has raped the IT industry and forced it to follow its will. Microsoft has become fat and happy taking the innovations of others and selling them as their own. This company has also plowed under anything that threatens its market share and dictated its terms to the OEMs like a king does to peasants.

I know I am one voice in many, but I feel that many share my views. Microsoft's crimes are blatant, its punishment should be very harsh. Thank you for considering my point of view.

Phillip Barnes

MTC-00013847

From: Christopher Martinez
To: Microsoft ATR
Date: 1/18/02 1:10pm
Subject: Microsoft Settlement

The settlement proposed by Microsoft is a complete joke and undermines the laws of the U.S. How can a company that has been accused of anti-business practices be even allowed to continue?? Microsoft MUST be stopped from repeating its offenses.

By allowing Microsoft to get off easy by sending old computers and free software worth "1 billion" is a waste of time. Don't even waste the american citizens time if that is all you are going to do, it is a joke, a complete travesty of our judicial system. Would this have been considered if ma bell would have said, "we're sorry, we will make it up to the U.S. by supplying all satellite, telecommunications for the U.S."???? Absolutely NOT!

Microsoft must be punished and made SURE that it cannot do such practices again! (i.e. look at the new xp operating system and the .net initiative). I propose a breakup and restructuring as the ONLY viable alternative.

"I have a dream. . . of little Macintosh computers. . . playing side by side with little Windows computers. . . and little windows computers. . . playing side by side with little Linux computers. . ."
—paraphrased from MLK.
christopher martinez
cbmartinez@onebox.com—email
(303) 285-3480 ext. 8096—voicemail/fax

MTC-00013848

From: Alan Taylor
To: Microsoft ATR
Date: 1/18/02 1:05pm
Subject: Microsoft Settlement
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Mr. Ashcroft:

This letter is sent regarding my opinion on the Microsoft (MS) anti-trust settlement. The settlement seems fair and reasonable, and I would like to see the dispute settled. MS has been a great stimulus for the advancement of technology and played a major role in the bull market of the 90s, thus the sooner the dispute is settled, the better!

MS has agreed to: (1) document and disclose the code of the interfaces built into Windows; (2) make it easier to promote non-MS software within its operating system; (3) license its operating system products to large computer makers at uniform rates.

MS has extended this offer to reach a final settlement that will help stimulate the economy and be a continued boon to the computer industry.

Thanks for your attention to this and your support in ending this litigation.

Sincerely,
Alan N. Taylor,
649 Goodwin Drive,
Richardson, Texas 75081

MTC-00013849

From: bobc@olypen.com@inetgw
To: microsoft@mail.olypen.com@inetgw,atr
@usdoj.gov@ine. . .
Date: 1/18/02 1:07pm
Subject: microsoft settlement

It appears to us that the settlement offered by Microsoft is a fair & just offer. We are of the opinion that ever since the government has attacked Microsoft, the economy & the financial markets have gone down hill. THIS HAS GOT TO END.

Sincerely,
Robert J Chelini & Clara K. Chelini

MTC-00013850

From: Donald Vladeff
To: Microsoft ATR
Date: 1/18/02 1:08pm
Subject: Microsoft Settlement

Please get this matter settled. All the delay is hurting everyone and the economy.

Donald L. Vladeff

MTC-00013851

From: Walt Pennington
To: Microsoft ATR
Date: 1/18/02 1:15pm
Subject: Microsoft Settlement

The settlement is deficient in future prevention of monopolistic behavior and in

failure to impose a financial penalty for past conduct.

Microsoft is a determined monopolist with a history of abusing its monopoly power for financial benefit. Microsoft's suffocation of new technologies by its tying practices, and its failure to integrate with new competing products should be penalized financially.

Microsoft should pay a fine in excess of \$500,000,000 or one in quality to that of price fixer Archer Daniels Midland. Profit seeking monopolists rarely renounce abusive desires, but removing financial incentives from abusive behavior will encourage future restraint from abusive monopolistic practices.

Microsoft Windows OS and Microsoft software must be open to integration with competing operating systems and software. Microsoft must allow integration with components such as those from competitors Apple/Mac and Gnu/Linux. Prohibit Microsoft's retailer mandate to charge for Windows OS even if Windows OS is not installed on the computer.

Windows OS, Windows Media Player, Internet Explorer must be separate components, and cannot be integrated. If an end user wishes to use these, it should have the option to add, but middleware such as Opera and Netscape have the same access to integration with Windows OS as Microsoft.

All Microsoft applications must be open to being configured for use on Apple/Mac and Linux.

Walt Pennington
San Diego, CA
619-696-5050

MTC-00013852

From: Chris Averkiou
To: Microsoft ATR
Date: 1/18/02 1:14pm
Subject: Microsoft Settlement
Dear Sirs:

The pending antitrust case against Microsoft continues to drag on to the detriment of consumers and the economy as a whole. It is in the national interest to settle this case. All parties had their day in court and the DC Circuit has ruled. Next case!

Yours,
Chris Averkiou

MTC-00013853

From: Joeferro@aol.com@inetgw
To: Microsoft ATR
Date: 1/18/02 1:15pm
Subject: MICROSOFT SETTLEMENT

AGREE THAT MS CASES SHOULD BE SETTLED ASAP. SETTLEMENT IS FOR THE GOOD OF ALL CONCERNED & PLEASE END ALL LITIGATION.

JOSEPH J. FERROVECCHIO
24 HADDONFIELD RD.
SHORT HILLS, NJ 07078
JOEJFERRO@AOL.COM
FAX: 1-973-564-8133

MTC-00013854

From: Thos Lydon
To: Microsoft ATR
Date: 1/18/02 1:20pm
Subject: Microsoft Settlement
Hello,

I am writing to express my position on the company recently found guilty of exercising

monopolistic powers in the market determining the punishment that is going to be applied as consequence.

If that sentence sounds odd to you at the Department of Justice, it sounds that way because it is. It is almost as odd that this is exactly what Microsoft is being permitted to do by the Department of Justice.

Microsoft exercised its position and levered actions that denied others market position for only one purpose, to be dominate and to be able to dictate to other companies what they will or will not do. It affected offered product lines.

The settlement need be consequential not favorable. Microsoft should either be broken up or ordered to refund all registered software users the money that was overcharge for software riddled with faulty code. If Microsoft is going to be permitted into another sector of the market it should have to use its money to purchase its competitor's products instead of being allowed to use its own. .

The United States Department of Justice's role in this is on behalf of the consumer. If you are to maintain confidence with your clients, then ensure that the settlement reached in the case puts the consumer in the position of advantage over Microsoft. This company has willfully acted to hindered the innovation of its competitors and need have the advantage gained by these acts destroyed.

Microsoft is even bold enough to imply that the computer industry is dependent on the company. This only seals the guilty charge as accurate. Once the company is knocked back a knotch or two (preferably two big knotches) the industry will rocket with innovation because of being relieved of the pressure applied to it to date by Microsoft.

Your mission is to at this time apply consequence, not allow Microsoft to determine what its punishment should be. Fail in this and you will fail in your mission. The Department of Justice is not paid to fail. As your client, I am not satisfied with the department performance to date.

MTC-00013855

From: John Gagon
To: Microsoft ATR
Date: 1/18/02 1:23pm
Subject: Anti-trust.

I am a software developer and competition with Microsoft in the high markets of office products and internet browsing products is extremely difficult. Not only did it endanger companies like Sun and Netscape (which it definitely has). It has also taken control of all the standards and bent the standards to its own whims. I'm forced to submit resume's with their expensive word processing software because many state run job agencies require it. High percentages of websites comply only with Microsoft's type of HTML.

I feel that Microsoft has harmed and not helped our economy by stifling entrepreneurship. Microsoft now wants to increase marketshare of its operating system by making hardware specs that meet their encryption so that eventually, you cannot use other operating systems on PC hardware. This violates the injunction not to engage in additional monopolistic practices.

I started out by liking Microsoft when it competed with IBM's DOS. But ever since it has ousted IBM out of OS/2. I've begun to feel disgusted with their business practices and abuse of it's marketshare leading to inferior products. This ruling should consider what Microsoft will do in the future by seeing what they have done in the past.

In my opinion, Microsoft and the public would best benefit if Microsoft were split and sold to investors and fined for stealing intellectual property using the loopholes of the system and allowing our privacy to be compromised. Any part of Microsoft software that has potential for compromising our privacy should be opened to the public.

John

MTC-00013856

From: Macintone16@aol.com@inetgw
To: Microsoft ATR
Date: 1/18/02 1:32pm
Subject: Microsoft Settlement

Dear DoJ,

This is regarding the Microsoft antitrust settlement. I think it is a great thing that you are willing to hear from the public, and it shows that you are very open minded about the whole thing.

I personally feel that Microsoft has no other instinct than to grow and assimilate any kind of technology it can legally or not, get it's hands on. They mess with it and try to sell an inferior version of it to the public. People buy it because they have an instinct to try to conform to a standard. A standard that I might add was created only because they manipulated the market to conform to their needs. If you recall the book "1984", you will see how similar Microsoft is to "Big Brother". They tell you what you need, what you can use, and say to hell with privacy rights in the case of their new operating system "Windows XP", because of the fact that they have access to your computer at any time, and that is just wrong.

I feel the only solution to this personal threight is to finally shut them down and pass a new "Big Brother" amendment that says no company can grow to such an extent as to have more control over the public than the national government.

I urge and plead that you take the nessary steps to make sure this monopoly is shut down and not allowed to happen again in another form.

Sincerely,

Anthony Wiedower

MTC-00013857

From: Lowell Gaughan
To: Microsoft ATR
Date: 1/18/02 1:45pm
Subject: Microsoft settlement

Lets get on with it ! Microsoft has done everything that has been wanted by the DOJ, and their offer of settlement to the states is more than admirable. Their business practices are above average by far. Settle this group of hearings, and spend some time finding out how many Attorneys General are up to their hips with Enron.

Let's not keep trying to knock the king off the hill, and thank them for all the good they have done and are continuing to do. If it were not for Bill Gates and Paul Allen I probably would not be sending you this message.

Thank you.

MTC-00013858

From: Joeferro@aol.com@inetgw
To: Microsoft ATR
Date: 1/18/02 1:46pm
Subject: MICROSOFT SETTLEMENT
MICROSOFT SETTLEMENT IS A GOOD THING FOR ALL CONCERNED & PLEASE STOP/END ALL LITIGATION.
EMILIA V. FERROVECCHIO
E-MAIL: evferro@aol.com
FAX: 1-973-564-8133

MTC-00013859

From: Dan Allison
To: Microsoft ATR
Date: 1/18/02 1:56pm
Subject: Microsoft Settlement
I looked at the proposed settlement and don't see the requirement for Microsoft to make restitution, however, since I've read about this in the media, I'll make comments anyway. I am opposed to any settlement with Microsoft which has Microsoft donating software to schools. This would lead to a further intrusion of Microsoft into the schools, at the expense of both Apple Computer and vendors of educational software for the PC which make much higher quality software.

Dan Allison
allisondan@earthlink.net
775-741-5595 C
PO Box 3644,
Carson City NV 89702-3644
home.earthlink.net/allisondan/
PGP Public Key on <ldap://
certserver.pgp.com>

MTC-00013860

From: Allen Appell, Ph.D.
To: Microsoft ATR
Date: 1/18/02 1:57pm
Subject: Microsoft settlement

Please leave Microsoft alone and let the free market decide what products should be produced. Government intervention in this case only serves to support uncompetitive competitors and adds substantial cost to consumers and the economy as a whole.

Thank you,
Allen L. Appell, Ph.D.
Professor of Marketing
San Francisco State University
1600 Holloway Avenue
San Francisco, CA 94132
Email: aappell@yahoo.com
Web Page: http://userwww.sfsu.edu/
aappell/

MTC-00013861

From: elizabeth schlegel
To: Microsoft ATR
Date: 1/18/02 2:06pm
Subject: antitrust settlement

Attention,
I am for the Microsoft Antitrust Settlement. This email is to inform you of my position regarding this issue.

Elizabeth Schlegel

MTC-00013862

From: Rocco Bruno
To: Microsoft ATR
Date: 1/18/02 2:06pm
Subject: Microsoft Settlement

To whom it may concern,

The proposed Microsoft settlement represents everything that is wrong in today's economy. Here is a company that destroyed so many companies along the way that I lost count. The settlement was to send a message that monopolistic practices in a competitive free market system are wrong. Instead the settlement for all intent and purposes proposes that we hand over the public school computer business to Microsoft, an area that has been traditionally the strong hold of Apple. Apple didn't get it handed to them, they earned it by working hard over the last 20 years.

The settlement should be simple. Strip Microsoft of half it's wealth and put that x amount of billions in a software/hardware grant system that companies could then apply for. I for one can't even imagine where we could be in the next 5-10 years. Above all else companies need to feel free to develop products without Microsoft looking over there collective shoulders.

Sincerely,

Rocco

MTC-00013863

From: Matt Sauer
To: Microsoft ATR
Date: 1/18/02 2:11pm
Subject: Microsoft Settlement

I'm writing to briefly voice my support for the opening of the Windows API as part of any settlement reached in the Microsoft case. As a longtime user of BeOS, it is clear to me that better operating systems exist, but are doomed to failure due to the monopoly Microsoft enjoys and their resultant user base that is loathe to try something new for reasons of compatibility. I also hope that the bootloader agreement is abolished and no loophole is left for MSOft to exploit re: hardware manufacturers and bundling new operating systems.

Thanks.

Matt Sauer
4522 Locust Street
Philadelphia, PA 19139

MTC-00013864

From: Nancy Maxwell
To: Microsoft ATR
Date: 1/18/02 2:12pm
Subject: Microsoft Settlement
Dear Sirs:

When the suit was brought against Microsoft the Stock Market fell. Every time a ruling against Microsoft is made the Stock Market falls. Every time a ruling is in favor of Microsoft the Stock Market rises. I am a market investor and a user of Microsoft Products. I do not feel that I was over charged for any software program I bought. I also use the Netscape browser, but like Internet Explore better as an investor and software user I urge you to settle the suite as soon as possible. You are using my tax dollars to fight this suit and I am not happy about this. I will certainly remember this when election time comes. As for any wrong doing that may or may not have happened I do not believe that the public was in anyway hurt but the cost of your law suit has cost the public. If someone builds a better product people will buy it. Let the settlement stand as is and end this.

Thank you
Nancy Maxwell

MTC-00013865

From: Sean Holt
To: Microsoft ATR
Date: 1/18/02 2:16pm
Subject: Microsoft Settlement

Hello,

My name is Sean Holt-Carden. I am an open-source (<http://www.opensource.org>) software developer. Microsoft "claims" that they are the main contributors to Computer advancements made in the past couple of years. . . when in all actuality they are the main contributors to holding back the computer industry. The main reason for this is they are closed-source. They barely release any source code for their new, what they call, "technologies and software".

Then Microsoft goes as far as not supporting old hardware in order to "boost the computer sales industry". What about the people who can't afford to buy a new computer every year? They have to be left in the "dark" because Microsoft wants to "boost" the industry? That's not very fair in my opinion, and companies should NOT be allowed to make such actions. Yes, you can say the people who can't afford new computers don't have to buy the newest versions of Microsoft Windows, but then all of the software released by Microsoft REQUIRES the newest version of Windows. If these people don't have the newest version, they simply cannot use the newest software.

In my opinion SOMEBODY needs to step in here and make things right. If Microsoft is allowed to get away with all the bull they are pulling when will it stop? The longer they get away with it, the worse it is going to get. I read over, briefly, the "final judgement" which I found a link for on the Sun website (<http://java.sun.com>). In essence, this "final judgement" won't do anything except for spending tax-payers money uselessly. There are WAY too many loopholes in this agreement that, we all know, Microsoft will exploit and take advantage of. This agreement needs to be written stronger and Microsoft needs to be given heftier penalties in the occurrence that they violate said agreement. Also, the "Technical committee" must be knowledgeable of what the source-code they look at actually means, and they must be unbiased in this whole situation. If they aren't knowledgeable in this manner, it's pointless to appoint such a committee to monitor Microsoft seeing they don't know what they're looking at. This would also be a waste of tax-payers money.

Thank you for your time,
Sean Holt-Carden

P.S. If you have any questions or comments on this e-mail, please feel free to e-mail me at mordist@home.com.

MTC-00013866

From: John Gilbert (CPR)
To: Microsoft ATR
Date: 1/18/02 2:21pm
Subject: Microsoft Settlement.
10133 Hanover Glen Road
Charlotte, NC 28210-7725
January 18, 2002
Attorney General John Ashcroft

US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I have closely followed the federal government's antitrust case against Microsoft for a long time. Microsoft is not a monopoly, but competitors who cannot compete with Microsoft in this highly innovative market have attacked them aggressively. This settlement is fair and will give the computer/software industry the boost it greatly needs.

I feel Microsoft is improving its business practices by allowing competitors and partnering software developers access to some of the Windows operating system source code. It also agreed to not retaliate against software or hardware developers who develop or promote software that competes with Windows or that runs on software that competes with Windows.

Microsoft must be permitted to implement these new business practices. Far too much time and resources have been spent proving Microsoft is operating as a monopoly. Its time to put an end to Big Brother is watching, and let Microsoft get back to business with the settlement terms.

Sincerely,
John Gilbert

MTC-00013867

From: Austin Conger (Borders Online)
To: "Microsoft.atr(a)usdoj.gov"
Date: 1/18/02 2:37pm
Subject: Microsoft Settlement

It has been proven that Microsoft (MS) is a monopoly! And as such should be dismantled according to the Sherman Act. We as consumers deserve to have a greater selection and choice in commercially supported software. This settlement has failed to address the bundling of software into the OS by MS, effectively making choices for the consumer. This is not freedom of choice! This is NOT freedom!

With Microsoft being the only choice for consumer based OSs, we are locked into all bugs and security risks related to this monopoly!

I am against the leniency of this settlement.

MTC-00013868

From: Sterling Johnson
To: Microsoft ATR
Date: 1/18/02 2:56pm
Subject: microsoft settlement

The Microsoft proposed settlement is ludicrous. I guess that next we will be hearing how as a penalty for bank robbers, we will give them jobs as Brinks armored car drivers. You can't give them more market share for their unlawful actions. Also, we cannot let them use slippery accounting tricks (giving away overpriced software) to pay a penalty for their misdeeds. I'm sure Standard Oil, or Bell Telephone would have loved these deals. . . Please, this was supposed to put an end to these unfair practices not encourage them.

Sterling Johnson
Castroville, Texas

MTC-00013869

From: Jason Muxlow
To: Microsoft ATR
Date: 1/18/02 2:56pm

Subject: Microsoft Settlement

The simple fact that I am typing this E-mail on a Windows machine and I am 99% certain that you are reading it on a Windows machine should be enough to settle this case in any court in the land.

Monopolies can't be allowed to prosper.
Jason Muxlow—Multimedia Designer
L90—The Online Media & Direct

Marketing Experts

[V] 312 726-3893 x227

[F] 312 726-3894

<<http://www.l90.com/csg>> <http://www.l90.com/csg>

www.L90.com/csg

Creative Services Group

<<http://www.l90.com/csg>> <http://www.l90.com/csg>

MTC-00013870

From: Matthew McCrady
To: Microsoft ATR
Date: 1/18/02 3:04pm
Subject: Microsoft Settlement

As a long-time Macintosh proponent, I have for a long time felt the sting of Microsoft's monopoly in the OS market. Every time I go into Wal-Mart and find not a single application available for my Macs, I think about the way in which Microsoft has undermined competition in all areas of the computer software industry.

That's why I feel that the proposed settlement with Microsoft Corporation is a terrible penalty for a company so ruthless as Microsoft. Allowing Microsoft to get off the hook by buying refurbished computers and software for under funded school systems is like punishing a serial child molester by sentencing him to community service in a day-care center. That comparison may be a bit crude, but nonetheless, the proposed settlement would simply allow Microsoft to gain a stronger foothold in the one market in which it has traditionally not been dominant. No wonder Apple opposes the settlement so heartily. It would effectively destroy Apple's base and lay to rest any notion that there is real competition in the computer software industry.

I hope the government thinks again before it settles with Microsoft for such a paltry and Pyrrhic victory.

Matt McCrady
Lynn and Matt McCrady
P.O. Box 272
Warm Springs, VA 24484
mccrady@va.tds.net
(540) 839-2866

MTC-00013871

From: Damien Fox
To: Microsoft ATR
Date: 1/18/02 3:05pm
Subject: Microsoft Settlement
To: Renata B. Hesse
Antitrust Division
U.S. Department of Justice

The proposed settlement by Microsoft Corp. is a travesty. Microsoft is obviously a monopoly, with over 90% of the consumer and business personal computer operating system market, and with MS Word used by almost every office or department at schools and businesses. Windows, like Word, is a sub-standard piece of software: clumsy, unstable and blatantly incompatible with other manufacturer's software.

And what of MS's innovation? Stealing the modern GUI from Apple, and failing to even improve on it. Stealing the web browser from Netscape, and failing to improve on it for nearly 5 years (Netscape 4.7 from 1996 is a good as MS's Explorer from 2000). Hotmail, bought from another party and tinkered with until it has become bloated, slow and borderline unusable compared to the way it was three years ago? Have you ever seen the pathetic power management Windows provides for notebook computers?

Do not allow MS to continue its tyrannical rule of the personal computer market. Aside from stifling innovation by forcing the rest of the industry to play its game, (such as the whole Java fiasco!) and keeping prices high, (forcing users to have a P800 processor to run a file display system, er, OS, that is essentially the same as it was five years ago), it forces users to play the Microsoft game.

Why is it that instead of an open text standard (along the lines of HTML), MS Word documents have become the de facto document exchange format, despite the high processor power demands of any recent version, the clumsy user interface, and oddities of display and font requirements on different computers and on different operating systems? The answer is simple: Microsoft is a monopoly, and uses its monopolist's power to force the market to buy its products, rather than let the market decide. You are in a position to prevent this situation from continuing, and preserve what little competition that exists in the computer market today. DO NOT let MS flood the educational system with cheap junk that costs them nothing to produce, and which they can count at full value in the settlement by tricks of accounting. By all rights, Microsoft should be billed every time a Windows licence is given away for free, as they benefit nearly as much from users running Windows without paying for it as they do if the user were to pay for their copy.

Act in the public interest, the interest of technological progress, the interests of the free market, and NOT in the interests of Bill Gates or Microsoft. By the way, Gates himself should be held responsible for the actions of his company: the limited liability of corporate executives is a relatively novel concept, and should not be taken as the gospel that it has been in the past 90 years or so. Deal with the real problems, not just the current symptoms.

Regards,
Damien Fox
ahdfox@hotmail.com

MTC-00013872

From: Linda Roos
To: Microsoft ATR
Date: 1/18/02 12:52pm
Subject: Microsoft Settlement
Dept Of Justice:

I have worked in the technology industry for about twenty years now, and I've never felt that Microsoft has done anything wrong. Microsoft's products have been very useful to me. I could have used some of Sun's or Oracle's products but they didn't meet my standards. America's economy was built on competition, not lobbying efforts. Sun and Oracle are trying to play catch-up with

Microsoft by pulling weight and encouraging legislators to file suit against Microsoft. That is wrong. Microsoft has hurt no one but competitors, there have been no individuals affected by this. We as consumers have benefited. The government should not hamper good technology.

In the 90's I worked for a software company that lost out to competitors because they knew the market better than us. That's the nature of competition. Yes we whined but we didn't file frivolous lawsuits.

It is hard to imagine what the future will bring in computer software and hardware. But it scares me if the government is going to investigate complaints brought on by competitors. Free Enterprise. Who's next after Microsoft???

For the sake of the economy please end this foolishness now.

—Linda Roos

MTC-00013873

From: Robert L Wolpert
To: Microsoft ATR
Date: 1/18/02 3:17pm
Subject: MS Antitrust Settlement Concerns
Dep't of Justice,

I'm a statistician and mathematician, for many years a user of a variety of computers in my work, recreation, and personal life. I am writing in opposition to the proposed settlement of the US DOJ antitrust suit with MicroSoft.

For years the MicroSoft monopolies on desktop operating systems and office productivity software have perpetuated each other—competing operating systems (OS/2, BeOS, Netware, DR-DOS, Unix) cannot gain more than a trivial market share because Microsoft constructs its office productivity software NOT to run on the competing platforms (this was especially clear with OS/2); meanwhile competing desktop applications (Netware, Word Perfect, Lotus 123, etc) cannot gain more than a trivial market share because Microsoft conceals and changes their OS programming interfaces (API's) to give their own products an advantage (the MS slogan of the 70's when updating their OS was "The job's not done 'til Lotus won't run"). The resulting lack of competition has hurt American research productivity, American commerce, and all of us who would benefit from cheaper, more secure, and more capable computing platforms. Penfield's structural remedy addresses the underlying problem—if the OS and App portions of Microsoft were separate, then it would be in the Apps portion's (and its stockholders') interest to port the apps to competing OS's, and it would be in the OS portion's (and its stockholders') interest to support ALL app vendors on their platform. In fact I would expect this would make both portions stronger, again benefiting their stockholders, while simultaneously opening the market to competition for the first time in two decades.

Thank you for the opportunity to comment.

Sincerely,
Dr. Robert Wolpert
Professor, Duke University
<wolpert@stat.Duke.EDU>

MTC-00013874

From: bheller@sushi.toad.net@inetgw

To: Microsoft ATR
Date: 1/18/02 3:36pm
Subject: Microsoft Settlement

I offer here my comments, in accordance with Tunney Act provisions, related to the proposed settlement between the government and Microsoft. The government has chosen to prosecute this case in very narrow terms that do not do justice to the weight and strength of Microsoft's monopoly. The public interest is not served by such self-imposed limits, and the narrow measures provided in the proposed settlement. This case should be used as a vehicle to address the Microsoft monopoly in toto. Much of the proposed remedy consists of offering choice to the OEMs and consumers. While ending excessively restrictive licensing terms is a worthy step, this does nothing in practical terms to diminish the monopoly power wielded by Microsoft in the marketplace. In order to truly remedy monopoly abuse, there must be genuine punitive measures imposed upon Microsoft.

Another deficiency of the proposed settlement is the absence of a bar to future anticompetitive behavior. In the past, Microsoft has often dealt with perceived competitive threats not only by raising restrictive middleware barriers, but also by buying competing technologies, products, or companies outright. To prevent continued abusive behavior and the expansion of Microsoft's monopoly power in the marketplace, Microsoft should be barred from acquiring ownership positions in competing companies, and from purchasing software products and technologies from other companies.

Others, such as consumer advocate Ralph Nader, have made note of the impropriety of Microsoft's sizable cash position. The liquid assets of Microsoft exceed the total market capitalization and assets of many of Microsoft's competitors in the software marketplace. This capacity to buy any company or product which can be seen as a threat or strategic asset hangs as a threat over the industry. As a punitive measure, the government should seek to take no less than half of Microsoft's cash and short-term investments as a fine for anticompetitive actions.

In order to minimize government intrusion in the software industry and the burdens imposed by constant oversight, a structural remedy is likely the most expedient option, and possibly the one which offers the most long-term assurance of market protection.

It makes sense to split Microsoft into separate companies, although perhaps not along the lines proposed by the district court initially. Logically, there is one unit responsible for operating systems, another for software applications, one for internet products and services, and other products. It would seem to make sense to make separate companies for each of those product areas, barring each from most contact with the others for a period of some years.

Without such a structural remedy, there is a need for substantial procedural remedies and fines, more so than provided by the proposed settlement. There are many activities which companies may engage in that take greater significance when executed

by a monopolist. The government should recognize this fact, and place more severe behavioral restrictions on Microsoft.

Disclosure statement: I own no stock in any software or computer-related company, nor have I ever been in the employ of such a company.

Sincerely,
Brian Heller
2960 Fox Lair Dr.
Woodbridge VA 22191
CC:dsellers@maccentral.com@inetgw

MTC-00013875

From: Peter Ahking
To: Microsoft ATR
Date: 1/18/02 3:43pm
Subject: microsoft Settlement

To Whom It May Concern:

I believe that the settlement agreed upon by Microsoft and the DOJ is fair. I would urge you to proceed with the settlement. As a user of Microsoft's suits of products, I believe that Microsoft has brought unity and standardization to the software industry and should be applauded for its endeavors. I believe that the settlement should be accepted by the DOJ.

Regards,
Peter Ahking

MTC-00013876

From: Benjamin Horst
To: Microsoft ATR
Date: 1/18/02 3:45pm
Subject: Microsoft Settlement
Poughkeepsie, NY
18 January, 2002

As a professional consultant working in the computing industry, I feel it is not only an opportunity, but also a responsibility, for me to submit the following comments regarding the proposed settlement. It is clear in my years of experience that Microsoft's monopoly has had adverse effects on the industry and has harmed its competitors, customers and even its own business partners. The current settlement's purpose, is, of course, to restrain Microsoft's anticompetitive conduct and remedy the effects of its past unlawful conduct. However, I do not feel it achieves these two goals.

The current settlement would not punish Microsoft, but could actually advance its interests and provide the company with a "governmental green-light" to continue its abusive practices. Please insist that the settlement is not acceptable unless it also includes the following: the complete unbundling of Microsoft's products from its base operating system, with those products distributed separately or as extra-cost options; and the complete opening of the specifications for all Microsoft document file formats, APIs, and networking protocols for now and forever.

With Microsoft's market position, it is capable of and seems to be working toward seizure of de facto control of the internet. There is no competitor nor group of competitors that could prevent it from taking this action, just as there was no free market action that could have prevented its seizure of the browser market from Netscape.

The only recourse is for a strong government action that would both punish

the company for its past law-breaking and make it impossible to commit further illegal acts. Please reject the proposed settlement and accept none that do not fully address all facets of Microsoft's monopoly abuses.

Thank you,
Benjamin Horst,
GIS & Web Manager,
The Chazen Companies

MTC-00013877

From: Todd Main
To: Microsoft ATR
Date: 1/18/02 3:47pm
Subject: Microsoft Settlement

While it is no surprise to me that the US position on the Microsoft anti-trust case softened dramatically with the new Presidency, I feel strongly that any settlement short of splitting Microsoft will have little or no effect on Microsoft's anti-competitive practices. Without splitting the operating system from the applications, Microsoft will continue to take advantage of its monopoly of the operating system market to crush its competitors in the applications and internet markets. Do you think that msn.com has grown so much do to its high quality? Think again. When users buy a new PC, MSN is their default home page on the Microsoft browser. Since Internet Explorer is already installed with the OS, most users don't bother to download a competitor's browser. This has given Microsoft an unfair advantage in the browser market, which they are turning into an unfair advantage in the ISP and Internet portal markets. This type of behavior will continue as long as Microsoft can bundle its applications and services with its OS.

Regards,
Todd Main
Boulder, Colorado

MTC-00013878

From: Claude D'Amour
To: Microsoft Settlement
Date: 1/18/02 12:52pm
Subject: Microsoft Settlement
Claude D'Amour
13116 47 th place west
mukilteo, wa 98275
January 18, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers.

With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Claude D'Amour

MTC-00013879

From: Rachel Gregory
To: Microsoft Settlement
Date: 1/18/02 11:57am
Subject: Microsoft Settlement
Rachel Gregory
3306 Kinkaid
Dallas, TX 75220-1625
January 18, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Rachel Gregory

MTC-00013880

From: Kari Carroll
To: Microsoft Settlement
Date: 1/18/02 10:28am
Subject: Microsoft Settlement
Kari Carroll
2595 Darlington Ct., S.E.
Conyers, GA 30013
January 18, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a

serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies. Thank you for this opportunity to share my views.

Sincerely,
Kari Carroll

MTC-00013881

From: Sharon Rogowski
To: Microsoft Settlement
Date: 1/18/02 8:43am
Subject: Microsoft Settlement
Sharon Rogowski
POB 827
Crystal Lake, IL 60039-0827
January 18, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Sharon Rogowski

MTC-00013882

From: Jack Broadus

To: Microsoft Settlement
Date: 1/18/02 9:52am
Subject: Microsoft Settlement
Jack Broadus
7341 Glendora Ave.
Dallas, TX 75230
January 18, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Jack Broadus

MTC-00013883

From: Jay Noonkester
To: Microsoft Settlement
Date: 1/18/02 10:32am
Subject: Microsoft Settlement
Jay Noonkester
3634 Willis Gap Rd
Ararat, Va 24053
January 18, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Jay W Noonkester

MTC-00013884

From: Joyce Takei
To: Microsoft Settlement
Date: 1/18/02 11:25am
Subject: Microsoft Settlement
Joyce Takei
5065 Spruce Bluff Drive
Atlanta, GA 30350-1000
January 18, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Sincerely,
Joyce Takei

MTC-00013885

From: student@enmu.edu@inetgw
To: Microsoft ATR
Date: 1/18/02 3:52pm
Subject: Microsoft Settlement

Dear Justice Department:

I am a consumer of Microsoft products and I have not been hurt by them. In fact, I benefit from their products. It was so foolish not to let them help disadvantaged schools. Why don't you quit wasting your time with Microsoft. You are obsessive-compulsive. I think it is more important that you go after Wal-Mart. They have caused untold damage to small businesses and communities. I think that you are very shortsided and narrow-minded.

Sincerely,

Michael Pollack
1720 S. Avenue L
Portales, NM 88130-7032

MTC-00013886

From: Nanette Spatz
To: Microsoft Settlement
Date: 1/18/02 11:26am
Subject: Microsoft Settlement
Nanette Spatz
16475 Dallas Parkway
Addison, TX 75001
January 18, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,
Nanette Spatz

MTC-00013887

From: Joseph Van Deweghe
To: Microsoft Settlement
Date: 1/18/02 10:12am
Subject: Microsoft Settlement
Joseph Van Deweghe
5715 Mt. Maria Rd.
Hubbard Lake, MI 49747-9620
January 18, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Joseph A. Van Deweghe

MTC-00013888

From: Charles B. Lovell
To: Microsoft Settlement
Date: 1/18/02 11:50am
Subject: Microsoft Settlement
Charles B. Lovell
2400 Tuckaho Rd
Louisville, KY 40207
January 18, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Charles B. Lovell

MTC-00013889

From: Nick Johnston
To: Microsoft ATR
Date: 1/18/02 3:59pm
Subject: Hello

BILL GATES IS THE ANTICHRIST!!!!
DIE!!! MICROSOFT, DIE!!! MACINTOSH IS
THE ONLY WAY TO GO!!

MTC-00013890

From: Jon Weygandt
To: Microsoft ATR

Date: 1/18/02 4:05pm
Subject: Microsoft Settlement
Justices,

I believe that the proposed settlement with Microsoft does not go far enough to stop a monopoly. I would like to add my vote against the acceptance of the proposed settlement, and suggest stronger sanctions against Microsoft. I have been a software developer for 20 years and am currently the CTO and co-founder of Annexient, Inc. . I have worked for many different companies, including PTC who develops applications that run on many different platforms.

I believe that we are currently in a "death spiral" with Microsoft. That is, the more market share Microsoft has, the more likely choices are made in Microsoft's favor, due entirely to their market size, thus providing positive feedback to the cycle.

As a developer and CTO I have witnessed and made these decisions. One could say it is supply and demand. For the smaller companies it is, but that is because Microsoft is almost all the market there is.

When a company wants to make another choice, it can be very difficult. We recently had a major customer request that we support the Macintosh. In doing so, it became apparent the significant discrepancy in development products between Microsoft and Apple, much of which I believe is due to decisions similar to the ones described above.

I only hope it is not too late to stop the total domination of Microsoft on the software industry, and recommend that the proposed settlement be rejected, and more severe measures be taken against Microsoft.

Jon Weygandt
CTO/Founder
Annexient Inc.

MTC-00013891

From: Annie
To: Microsoft ATR
Date: 1/18/02 4:08pm
Subject: blind with rage

to the microsoft anti trust committee:

i cannot proffer any constructive comments on the subject of microsoft at this time other than to say all thoughts of that corporation causes me to become blind with rage. they are terrorists: evil, greedy, & soul-sucking . . . should i send them an invoice for 1,000+ hours @ \$70 = \$70,000 for the grief their software has caused me? your advice welcome . . .
annie.

CC:Dave Monk,Mason Hastie

MTC-00013892

From: Gustavo Luna
To: Microsoft ATR
Date: 1/18/02 4:11pm

Your Honor,

I am opposed to the settlement in the U.S. versus Microsoft case that sits before your court. It is wrong to allow Microsoft to benefit from its past anti-competitive behavior. Microsoft must be prevented from using its monopoly powers again in the future, and this proposed final judgment fails to do that.

Respectfully,
Gus Luna

MTC-00013893

From: Michael J. Partsch
 To: Microsoft ATR
 Date: 1/18/02 4:12pm
 Subject: Honorable Judge Kollar-Kotelly,
 Honorable Judge Kollar-Kotelly,
 It is my view that the proposed U.S. vs. Microsoft settlement before you is flawed, and I urge you to reject it. Microsoft has benefitted enormously from its past monopoly powers, as every court has concluded.

This settlement allows Microsoft to retain those ill-gotten benefits. Furthermore, there's no means for ensuring that Microsoft will desist from engaging in anti-trust violations in the future. I feel that it is in the best interest of the public to oppose the proposed final judgment.

Sincerely,
 Michael J. Partsch
 795 Promontory Drive West
 Newport Beach, CA 92660
 (949) 675-3296
 Alternate e-mail:
 Work: mike@versantventures.com

MTC-00013894

From: Mike Stone
 To: Microsoft ATR
 Date: 1/18/02 11:24am
 Subject: Microsoft Settlement

It's my belief that at least one point has been missed in the Government's position. The Government's contention, as I understand it, is that Microsoft is using its operating system monopoly to unfairly gain dominance in internet browsers. That browser dominance would then secure their operating system monopoly. Although I believe that this is the case, I also believe that their is more to Microsoft's attempt to gain browser dominance. The internet is a relatively young (at least the www portion of it) development which as of now no one controls. Internet standards are agreed upon and approved by a committee of various internet entities. If a company wants to put out proprietary software for the internet and charge for it there is a good chance that internet users will find a free alternative. If a company has a monopoly in the browser they are also the only company that can ignore the committees standards and use their own. Once they have established their dominance with internet standards they can market their for-profit products (Windows 2000, site server, etc.) as the only products that guarantee internet compliance since they would decide what complies. This would then help them gain dominance in other areas. This is the path that Microsoft has time and again chosen. Gain dominance in the operating system market and then scare consumers into thinking that if you are not using their operating system, then you won't be compatible with the rest of the world. Same with their office suite. For as much talk as Microsoft makes about innovating, I can't think of a single product that they make that wasn't made by another company before them. Windows = Macintosh OS; Word = WordPerfect; Excel = Lotus 123; Internet Explorer = Netscape; etc. They don't innovate, they copy and then bully people into using their versions through fear that

they won't be able to do what everyone else can do. It's another reason they don't let competition in on the same Windows APIs that they use in application development.

I believe that breaking them up is the wrong idea (and was glad when you dropped that as an option). I think the best thing to do is make Microsoft release its Windows APIs to application developers so they can compete on a level playing field. In addition I would require them to develop their browsers to only the commonly agreed upon standards of the internet for the next 5 years. This gives the internet a chance to mature in an open competitive way, instead of just following Microsoft's "innovations."

Thanks
 Mike Stone

MTC-00013895

From: Anthony Levensalor
 To: Microsoft ATR
 Date: 1/18/02 4:16pm
 Subject: Microsoft Settlement

Greetings,
 I am a software developer who works across all platforms, and I primarily perform applications programming for the MS Windows breed of OS. Having said that, I would like to comment on the proposed final judgment that is on the table now, during the public comment period.

I feel the the proposed final judgement fails to properly and adequately address the misconduct of Microsoft Corporation in its anti-competitive activities, as well as leaves enough room for Microsoft to find it easy to manipulate the agreement and perform future transgressions in the arena of anti-competition.

I am not a wordy individual, and I have no intention of telling you the facts of your own case. My sole comment here is on whether or not the proposed final agreement is in the public interest, and I think the answer is no. If we allow this, where will that lead in the future? It has only been 7 Years since Windows 95 hit the streets, remember, and Microsoft already has (seemingly) more power than our federal government. What will happen in ten, fifteen, or twenty years? What state will we have come to then, if we let ANYONE think that this sort of attitude is ok for a corporation to have?

Thank you for your time,
 Anthony Levensalor
 Software Engineer

MTC-00013896

From: Jeffrey Eckman
 To: Microsoft ATR
 Date: 1/18/02 4:23pm
 Subject: Microsoft Settlement

If Microsoft is allowed to have as part of a settlement a donation of hardware and Microsoft software to schools, it will further Microsoft's monopoly.

If this lawsuit were against big tobacco, it would be like allowing a tobacco firm to settle by giving free cigarettes to 580,000 students. I'm not sure if I'm sending this to the right place. . . but I'm giving it a shot!

-Jeffrey Eckman
 Jeffrey Eckman
 Systems Administrator
 McDougal Littell, a Houghton Mifflin

Company
 222 Berkeley Street
 Boston, MA 02116
 jeffrey_eckman@hmco.com
 phone: 617-351-3035
 fax: 617-351-1213
 toll free pager: 1-877-428-1240, use option 3
 email to pager: jeckman@skytel.com
 CC:jeckman@mac.com@inetgw

MTC-00013897

From: Brian Kichler
 To: Microsoft ATR
 Date: 1/18/02 4:24pm
 Subject: Microsoft Settlement

First of all, thank you for soliciting comments from the public. I was personally in favor of the original proposal to break up Microsoft, and was disappointed with the weakness of the Justice Department when the time came. Microsoft's cynical idea to donate "almost 1 billion worth of software" to schools is almost certainly yet another flagrant attempt to grab market share and establish a monopoly in yet another sector of the economy. Personally, if Microsoft truly wants to provide a community service and give money to education, they should donate it in cash. That way, the schools in question will have the opportunity to spend the money in whatever way they see fit. Microsoft is an illegal monopoly, and the government must take that into account when they deal with the company. Thank you.

Brian Kichler

MTC-00013898

From: SCHMIDT Victor H
 To: Microsoft ATR
 Date: 1/18/02 4:38pm
 Subject: Microsoft Settlement

I feel MOST STRONGLY that Microsoft should NOT be allowed to profit from this settlement in ANY way. They should be required to pay the settlement in CASH, the cash should be managed by a third party (in a Trust Fund or something similar) and the schools and others involved should have total control of where their part of the settlement money is spent. ie., NO-ONE should be pushing them to buy Microsoft products, to use Windows PC's, or Microsoft software, etc. (No coupons, no discounted software etc as long as it's Microsoft, etc). Apple Computer has worked very long and very hard to get to the place they are in the computer business, and especially where they are in the education market. Microsoft should not be allowed to make ANY progress or inroads into ANY market—and ESPECIALLY into the education market, because of this settlement. This settlement should be a punitive thing which does more than just slap Microsoft's corporate hands and lets them continue to make use of their monopoly position in the computer marketplace.

Thank you, from a dedicated Apple Computer user.
 Vic Schmidt—ISL
 Downtown Portland Office
 1433 SW 6th Avenue
 Portland OR 97207-0159
 (503) 731-3399

Victor.H.Schmidt@state.or.us

MTC-00013899

From: Mike Jackson
To: Microsoft ATR
Date: 1/18/02 6:22pm
Subject: Microsoft Settlement

The Microsoft settlement deal is a joke! Allowing them to give "donations" to the education market is really about giving them a free shot at establishing another monopoly in a market they couldn't otherwise crack with their inferior software. The only thing the boys in Redmond understand is money and the only only pain they understand is being fined.

Mike Jackson
Mental Pictures Photography & Graphic Design
<http://guide.net/~mental/>
(228) 696-2702 Phone/ Fax
(228) 918-4596 Cellular

MTC-00013900

From: Patrick C. Tullo
To: Microsoft ATR
Date: 1/18/02 4:49pm
Subject: Microsoft Settlement

I support the proposed anti-trust settlement negotiated among Microsoft, the federal government, and nine states. Additional litigation would not be in the best interest of consumers or taxpayers. Microsoft is largely responsible for the thriving technology environment we enjoy today. This environment is the result of the open PC Windows-based architecture which has spawned the development of countless third-party applications operating virtually seamlessly across PC platforms.

Thank you for considering my comments.
Sincerely,
Patrick C. Tullo
11744—295th Street Way
f/k/a 29500—115th Ave. Way
Welch, MN 55089-4101
tullo@cannon.net

MTC-00013901

From: jnewk
To: Microsoft ATR
Date: 1/18/02 4:52pm
Subject: USAGNewkirk_Jay_1077_0116
255091 Pioneer Way NW
Poulsbo, WA 98370
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I am writing you today to encourage the Department of Justice to accept the Microsoft antitrust settlement. The terms of the settlement are fair and the technology industry needs to move forward. Many people think that Microsoft got off easy; this is simply not true. The settlement was arrived at after extensive negotiations with a court-appointed mediator. The company agreed to terms that extend well beyond the products and procedures that were actually at issue in the suit, simply for the sake of wrapping up the suit. Microsoft is far and away the technology industry's leader. During these tough times the industry needs its leader to be able to concentrate on

business, not government over regulation. The industry needs to move on and regain the momentum that it once possessed. The terms of the settlement are fair and it is time for the entire industry to move forward. Please accept the Microsoft antitrust settlement.

Sincerely,
Jay Newkirk

MTC-00013902

From: Ron Limb
To: Microsoft ATR
Date: 1/18/02 8:52am
Subject: Microsoft Settlement

Dear Judge Kollar-Kotally,
My name is Ron Limb and I am a high tech entrepreneur residing in Silicon Valley. I am writing this letter because I am concerned about the proposed final judgment in Microsoft's anti-trust violations. The proposed settlement does not adequately address the needs of small high tech innovators who are not able to rise out of the long shadow cast by Microsoft's monopoly in the tech industry. The business antics of Microsoft is harmful to the industry. As a concerned citizen, I object to the propose settlement.

Ron Limb
781 Old Orchard Rd.
Campbell, CA 95008
408-370-7070

MTC-00013903

From: Jklemml@aol.com@inetgw
To: Microsoft ATR
Date: 1/18/02 5:01pm
Subject: Microsoft Settlement

Sir,
Please accept the attached letter. Thank You.

Regards,
John Klemm
2532 Coachman Court
Mobile, AL 36695-3724

January 14, 2002

Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Ashcroft:
As a supporter of Microsoft, I write you with concern over the recent developments in the anti-trust suit. Microsoft has made many concessions to appease various parties in this suit, only to be further scrutinized. It is time to move forward and let the terms of this agreement speak out for themselves.

After three years of negotiations, the parties involved in this suit have reached an agreement that is fair and reasonable and beneficial to all involved. Unfortunately, certain politicians have decided to prolong this settlement and waste our precious resources on further dissection of the already agreed upon terms. Under these provisions, Microsoft agrees to make changes in licensing and marketing terms, as well as changes in design. A three-person technical committee with a government representative will oversee Microsoft's work, and consider complaints. These concessions are clearly working toward a more unified IT sector and a step toward advanced innovation.

By instigating further litigation, we do nothing more than slow down our innovative

process. Anyone sensible person can see that slowing down our American technology industry directly affects our American economic growth. Let us not be the ones to stop the very process that we initiated. Please help to stop any further litigation on this settlement.

Sincerely,
John Klemm

MTC-00013904

From: Carole (q)Lady(q) Phillips
To: Microsoft ATR
Date: 1/18/02 5:06pm
Subject: MICROSOFT

Please settle this lawsuit against Microsoft. It has done immeasurable harm to my finances and those of many others.

Carole Phillips

MTC-00013905

From: Janice
To: Microsoft ATR
Date: 1/18/02 5:01pm
Subject: Microsoft settlement

I didn't agree with the lawsuits in the first place. They don't help anyone but the lawyers. Microsoft is Bill Gates company and I admire, and am in awe of, his brains and ability. I almost think it would be funny if he got tired of all this and just shut the company down. Where would we all be then? Make the settlement final!! Enough is enough.

MTC-00013906

From: Jeff Hill
To: Microsoft ATR
Date: 1/18/02 5:12pm
Subject: Microsoft has harmed businesses and consumers.

To: Department of Justice

I am disappointed with the proposed Microsoft settlement. I don't see it changing anything that will help stop the problems that Microsoft causes. The case didn't bring up many of the underhanded things Microsoft does. Microsoft and SGI signed an agreement to port a version of OpenGL to windows. SGI committed the people and money to the project, but Microsoft only gave partial support. We spent the next nine months hearing how the SGI programmers were overloaded while the Microsoft programmers were not holding up their end of the deal. After a year Microsoft dropped the contract and OpenGL support from windows and released a new DirectX. This hurt not only SGI, since they were left without resources to improve OpenGL on their own machines, but SGI customers like us. We suffered as SGI was duped into devoting resources. Even personally I have been hurt by Microsoft's monopoly. In 1994 I bought a Gateway computer with Office Pro. The OEM prices was \$229. The were under pricing both Lotus Smart Suite and Wordperfect Suite. There was competition then. In 1998 Office Pro "97 upgrade was \$329, while Wordperfect Office 7 was \$189. The last package I bought in 2001 was Office Pro 2000 upgrade is now \$399 while Wordperfect Office 9 is \$229. Where is the competition now? Microsoft low-balled the prices when they didn't own the market. Now they have 90% market share and their prices have gone up an up as they've

captured the entire market. How is the settlement going to restore competition in the office market? How can any OS vender compete with Microsoft when Microsoft won't allow OEMs to install dual-boot with other OSes?

It seems the only way to compete with Microsoft is to give away the software like with Sun Office and hope that enough people are sick of supporting Microsoft.

Unfortunately this won't work where I work since the Sun Office isn't on the government buy list.

Jeffrey Hill

Just a Lockheed Martin Computer Geek

MTC-00013907

From: Jonathan Taylor
To: Microsoft ATR
Date: 1/18/02 5:18pm
Subject: Microsoft Settlement

To whom it may concern:

The proposed settlement is too weak. It will do little to change Microsoft's behavior or more importantly open the playing field to other competitors. I think Scott Rosenberg's proposal to force Microsoft to open the Windows APIs and Office file formats to competitors is an excellent solution.

Respectfully,

Jonathan Taylor

Instructor, Design & Illustration
Burlington Tech Center
52 Instutue Road
Burlington, VT 05401
(802) 865-4163

MTC-00013908

From: Lee Davis
To: Microsoft ATR
Date: 1/18/02 5:20pm
Subject: Microsoft Settlement.

Dear sir, Stop picking on Microsoft you have cost them and their stockholders millions of dollars. Enough is enough,

Kenneth L Davis

MTC-00013909

From: Daniel Andrade
To: Microsoft ATR
Date: 1/18/02 5:27pm
Subject: Microsoft Settlement

Dear Representative of the American Justice System:

I write this letter because of concern for my livelihood. I am a computer professional, and have worked with computers and operating systems from a number of vendors since the earliest days of personal computers, and I must say that the Microsoft case has held my attention because it is a case of landmark importance for the security, and financial future of the United States, and the world.

Microsoft holds a vast market share of the personal computer operating system market and there is nothing wrong with that. However, their means of maintaining this dominance has been found illegal, and there are other issues with Microsoft software that need to be addressed if they are to continue holding a monopoly.

First and foremost they must conform to standard networking protocols. Additional features can then be built into an application, but the base application must operate no matter what operating sytem is being used.

Second, they need to make freely available the formats for their proprietary file formats. Users have been forced into upgrades of software packages that cost as much as hardware for a new computer because they will not be able to read files if they do not upgrade. This is tantamount to price fixing and the exact reason that monopolies are so keenly watched, and closely regulated.

Third, the security of their products needs to be reviewed by outside sources. Microsoft has continually pledged to improve their security, and year after year they release software that subjects even non-Microsoft users to attacks, and intrustions. All of the major Internet security issues such as Code Red, Code Blue, Nimba, Love Letter, Kournikova, Melissa, and more have been based on "features" that Microsoft did not take the time to perfect or secure. Their email server retails for over \$6000 and can not even close a major security hole related to sending spam without customization. Qmail is an open source product available for free download that has no known security holes and a standing offer to pay anyone that can find such a hole \$500.

In summary, if you take away the ability of Microsoft to write programs that will only work with other Microsoft products, truly fair competition can finally occur, this will not be achieved through splitting the company, or "giving" software to schools that Microsoft did not have to purchase at a retail price in the first place. In fact, schools are one of the few non-Microsoft dominated markets and it would be a shame to actually extend the monopoly into untapped markets as part of the settlement.

What needs to be done, is to have Microsoft publish the source code for any proprietary modifications that they make to widely held standards such as the C++ programming language, Domain Name Services networking protocols, or the most recent core of their .Net products Xstensible Markup Language.

In addition, Microsoft operating systems should be as much more expensive when you buy them with a computer, as when you buy an upgrade, or original retail copy. Tacking one to two hundred dollars onto the price of a Windows PC will be cause for the average consumer to reconsider participating in a monopoly, and would leave a very real window of opportunity for other vendors to secure a market share in the operating system arena.

When a security flaw is found in a Microsoft product that endangers businesses livelihood on the Internet the source code should be released for public examination. In this way threats to public, and national security can be abated with a thorough testing. Instead of a never ending series of repairs after the opening is already being maliciously exploited to cause network outages, or data loss. These suggestions would be good for the country, good for consumers, and a bitter, but much needed remedy for the problems of Microsoft that caused this antitrust action to be taken in the first place. I appreciate your consideration.

Sincerely,

Daniel Andrade
1335 Haddington Dr

Riverside, CA 92507

MTC-00013910

From: Kenneth Cox
To: Microsoft ATR
Date: 1/18/02 5:29pm
Subject: Microsoft Settlement: When?

Dear Mr. . Attorney General, After reading the proposed court settlement with Microsoft and the DOJ, then finding out that several states have rejected it, including my own (California) I was very surprised and disappointed. I have sent correspondence to Dianne Feinstein and Representative Cox; relating to this issue several months ago and got an answer from Mrs. Feinstein that was baffling and convinced me that some of our elected officials do not seem to have a firm understanding about the nature of the software business and the impact their decisions can make.

Representative Cox on the other hand seemed to have a ready grasp of the issues and didn't sound like he was preaching from a soap box. I keep hearing rhetoric from the same people and those same people just seem to be not dealing with the realistic issues presented them several times such as innovation impact, property rights, economic impact and so on. This is insane and must stop.

I am a programmer, but more importantly, as a citizen who believes in democracy and capitalism, I support the idea that any company, not just Microsoft should be allowed to keep their intellectual property under lock and key and protected as well as also be allowed to ensure that products designed to work for and with their systems do so without interfering with the normal intended use that system. Anything less is questionable and brings us back to the days when we had no integration or support from big software companies and we were forced to buy a myriad of products both hardware and software to get things to work; none of which could "talk" to each other.

Fragmenting Microsoft and/or the browser will effectively roll back years of work many of us as platform developers have put in to deliver value and line of business applications for our end customers.

I work for a very large insurance company in Southern California, our customers have grown to appreciate the speed and flexibility with which we have provided in bringing them new applications such as the ability to download their Fund Performance values for their insurance product. This is because we are able to develop them faster because of tight integration used by Microsoft in their products and the use of Platform technology by Microsoft.

Without increased interoperability of compatible systems and tight integration with operating system products from the same vendor we end up fragmenting a whole industry that has grown up around this idea. In addition, there is a whole cottage industry built around Windows that as developers allows us to free ourselves from "rolling our own software" and focus on delivering value and needed critical line of business applications for our customers; capitalizing on integration and features only found in Windows components and Windows

operating systems; most of which is dependant on the Internet which is why Internet Explorer platform development is so critical to our continued success as programmers and company.

Last, we would never require that Ford Motor Company ensure that a Chevrolet engine fit and be compatible with Ford products and that is essentially what we are talking about. The internet browser has been hailed as an accessory, but in fact Microsoft has integrated that into the operating system to take advantage of features only present in Windows, and not other systems. Netscape tried to integrate their browser into Windows but failed because of course, that's like Chevrolet buying Ford engines and selling brand new cars as Chevy's, with Ford engines. Who is going to be responsible for the engine? If we take it back to Chevy will they tell us to it's Ford's problem? If Ford didn't agree to support the engine if Chevy did this, will Chevy be responsible? This is the potentially weird situation we find ourselves in with this browser issue. It is part of the operating system much like Bank Of America owns all of their own ATM machines, do you think they should be forced to carry Well's Fargo Atm's so they can get a cut of the transaction fee? I don't see this as any different and set's a bad precedent for future development.

No one should have to argue this, it's marketing 101. It's the thing that separates a good operating system from a great one. I speak for many developers who would like to see this come to a successful conclusion so that we can continue to build web enabled applications for our customers without worrying if we are going to have to change hats and become support personnel for the fragmentation that will surely follow if hold out states get their way and the loss of jobs this would cause because of stifled innovation.

Respectfully Submitted,
Kenneth W. Cox

MTC-00013911

From: EMMETT STROSCHEIM
To: Microsoft ATR
Date: 1/18/02 5:44pm
Subject: Microsoft Settlement

Please settle this case as soon as possible. It should'nt have started in the first place.
E. L. Stroscheim
Cornelius, Or.

MTC-00013912

From: Calin Lincicum
To: Microsoft ATR
Date: 1/18/02 5:47pm
Subject: Microsoft settlement

Microsoft is a bloated monopoly. The only recourse with any adequate Irony is to nationalize and utility-status The whole MS Windows platform. Let the Fed knock MS around for a couple of decades to wear the predation out of the management.

Just a thought.
Cal

MTC-00013913

From: Harry McHugh
To: Microsoft ATR
Date: 1/18/02 5:49pm
Subject: Microsoft Settlement

55 Salt Cedar Lane
Johns Island, SC 29455-5803
January 14, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft: Microsoft and the Justice Department have reached a settlement in the antitrust case. The reason I am contacting you is because I would like you to resolutely support this settlement.

DOJ officials and Microsoft reached this settlement after three years of costly litigation. Outside interests have been criticizing this settlement, some with the hope this case will resume. However this settlement is thorough and will bring positive change. There is no reason for further federal action. Among other changes the settlement will give computer makers the flexibility to place competing software on Microsoft operating systems. Microsoft is also going to release computer code to competitors so they can produce more competitive software.

Let's end this ridiculous exercise, led by fee hungry lawyers and Micosrsoft's competition. Microsoft is one of America's crown jewels, let them move forward at what they do best; create software.

I respectfully plead with you to settle this case without delay.

Sincerely,
Harry McHugh

MTC-00013914

From: Brad Greene
To: Microsoft ATR
Date: 1/18/02 6:03pm
Subject: Microsoft Settlement

I am deeply concerned that the recent resolution to the Microsoft anti-trust issue does not adequately address the needs and rights of the people. From what I have read the PFJ does not even address the concerns raised by the Appeals Court. The current PFJ smacks of back room dealing for the benefit of influential people and to the detriment of the consumer at large. Any resolution to this matter must seek a balance between short and long term needs. Above all we MUST support free competition and the innovation that it fosters.

Regards, Brad Greene,
2197 E. Bayshore Rd.
Palo Alto, CA 94303

MTC-00013915

From: Michael Jennings
To: Microsoft ATR
Date: 1/18/02 6:10pm
Subject: Microsoft Settlement

Microsoft has been "playing dirty" for a very long time. . . at least the past 10 years, if not longer. Do you really think they don't have a plan for working around a self-proposed settlement? Let's not be so na'ive.

The only way you're going to keep them from cheating is to split them up and make them compete against themselves. Otherwise they will continue to use their dominance in some markets to destroy good competitors in other ones.

Michael

G: "If we do happen to step on a mine, Sir, what do we do?"

EB: "Normal procedure, Lieutenant, is to jump 200 feet in the air and scatter oneself over a wide area."

MTC-00013916

From: Merle Pearson
To: Microsoft ATR
Date: 1/18/02 6:27pm

To whom it may concern,

I think the government should leave Microsoft alone. Drop all the charges because Microsoft never did wrong. This government is suppose to be for the people. This family and a lot of our friends think this case should have never been in court. Please just drop it.

Rogena Pearson Poe
112 Smokey Run Road
Tellico Plains Tn. 37385

MTC-00013917

From: Daniel Cloud
To: Microsoft ATR
Date: 1/18/02 6:40pm
Subject: Microsoft Settlement

So far in the settlement proceedings, Microsoft has been dealt with very lightly. Talks of splitting the company up seemed very reasonable, especially given the fact that in the past companies have forced to sell certain software assets in order to limit a monopoly in certain software categories. Large companies have been treated in this way in the past.

It should be no different with Microsoft. The Operating System, the web browser, the Office suite, etc. are separately salable products. What Microsoft has done, and the court already agreed that this is monopolistic and illegal, is first create an operating system monopoly and use that monopoly to build monopolies in other types of software such as web browsing and productivity applications (MS Office). It seems then that the only way to truly break up the monopoly would be to separate the software applications by selling the code to other companies. The profit from selling the rights to the software should go into a fund for schools to buy computers and software of their choice. Given the clearness of Microsoft's monopoly practices that have been built upon years of unfair and anti-competitive business deals, it is imperative that the company be reshaped so that it doesn't resemble what it is today. This would also be good for Microsoft and the people who actually want their products because by narrowing Microsoft's reach, it will bring focus to building the fewer products better. When the software applications are split amongst other companies, development of competition will occur and the companies that bought Microsoft application code will be forced to make a better product to compete, and the consumer will benefit.

I thank you for the opportunity to speak to you on this subject and hope that in making a final decision, you realize that allowing the guilty defendant to decide its own sentence would be unfair, inadequate, and most of all, unjust.

Thank you.
Daniel Cloud
(910) 794-3089 Home
(910) 350-9918 Pager

MTC-00013918

From: David Llewellyn
To: Microsoft ATR
Date: 1/18/02 6:55pm
Subject: Keep it fair

Although, Microsoft is a large part of everyone's daily work and play. It's time to allow the computer industry to innovate and that can not be done when one organization controls more than 80% of the market. Microsoft should be broken up and made to compete with other and with the separate and newly partitioned Microsoft organizations. Similar to what occurred when AT&T and the regional Bell companies were formed. Based upon the current judgment this will not happen. Yet, Microsoft must be changed by the final ruling.

David S. Llewellyn
President
Wyvern International

MTC-00013919

From: Michial Freigang
To: Microsoft ATR
Date: 1/18/02 6:58pm
Subject: Microsoft Litigation

Being self-employed for almost 28 years, the positive contributions made to the planning and execution of my business by using Microsoft products were immeasurable.

To continue litigation against Microsoft is, in my opinion, a questionable use of government resources. The DOJ guidelines to which Microsoft is being asked to adhere is fair and reasonable, nothing further need be done.

Thank-you.
Respectfully submitted,
Michial A. Freigang

MTC-00013920

From: Hillary Brubaker
To: Microsoft ATR
Date: 1/18/02 7:00pm
Subject: Microsoft Settlement

Dear Judge Kollar-Kotally,
As a high school teacher in Silicon Valley, I am extremely concerned about the recent Proposed Final Judgement (PFJ) in the U.S. vs Microsoft case that you are considering. Microsoft has clearly violated antitrust laws and needs to be held accountable for their actions so that other members of the technology community are protected. I object the PFJ and urge you to be a catalyst for terminating Microsoft's illegal monopoly, deny Microsoft any benefits from its past violations and prevent any future anticompetitive activity.

Sincerely,
Hillary Brubaker
1155 Yosemite Avenue
San Jose, CA 95126
408.299.0705

MTC-00013921

From: Jarod Guertin
To: Microsoft ATR
Date: 1/18/02 7:08pm
Subject: Microsoft Settlement

To whom it may concern,
I would like to humbly submit the following suggestion relating to the Microsoft Settlement.

It is the objective of the following argument to propose that the settlement should include a provision to force Microsoft to fully disclose to all competing parties the format of the end data files now considered standard. In this context, end data files, is meant to cover the end result file of the most common Microsoft applications utilized by both the end-user and business-user such as, but not limited to: A corollary is that any planned changes in those file formats would have to be communicated to the industry in advance to allow full support and compatibility.

This proposal relies on the argument that the operating system (MS Windows) has maintained its monopoly partly by preventing competing developer in making applications that were able to read and write flawlessly (which means full knowledge of all the structures and features not just a partial disclosure) in the file formats that have become the most common and therefore at the base of most information exchange in the business world and at home. One of the most common argument heard from people opposing or fearing too harsh of a settlement against Microsoft is the fear that they may not be able to exchange data as easily and freely as they now can if they remain in the Microsoft applications/OS realm. It would indeed hurt communications and business alike if suddenly the industry was thrown back in the times where a cacophony of formats existed and were more or less equally supported; this often resulted in corruption or loss of data during conversion and in the worst cases would lead to the inability to read the data altogether because a different application or application version was used. While many formats still exist today, it is hard to deny that the Microsoft formats have become the standard by way of the monopoly Microsoft enforced as found by the high courts' ruling.

Some, including Microsoft themselves, might argue that those formats are known well enough and that many applications can read the files in those formats. User experience however repeatedly and continuously disproves this statement. All third party data conversion seen so far are eventually marred with either glitches, corruption of information, loss of data, misalignments, etc. It would be extremely hard to believe that the entire industry, for the exception of Microsoft, is incompetent. It is much more plausible that full disclosure of those file formats were never carried out but only partial information on the most basic structures were given thus leaving out some of the most advanced features and nuances which makes all those third party applications look deficient to the user. The user then has little choice in order to conduct business effectively but to disregard those apparently "inferior" third party applications and to move to Microsoft applications thus strengthening the monopoly.

Finally one might ask if firstly, such a requirement on Microsoft is just, and secondly if it is a remedy. Given the courts ruling that Microsoft used monopolistic practices to extend their hold on the industry, the popularity which made them become standard file formats is a result of the

monopoly and serves to proliferate and maintain the monopoly. Since those file formats originated and help enforce the monopoly statu quo, it seems fair that they should be included in such a settlement.

Secondly, is this in any part a remedy? Once third party application developers are able to read and generate fully the most complex variants of those popular file formats, the competition between Microsoft's applications and third party's application will become possible again and will be based solely on the merit of the software itself, its features and its price. Once enough third party applications exists that are fairly competing with Microsoft's products, it will enable the industry to fully support any operating system that the business community and end user choose to, without fear of data communication and file transfer problems. At that time, Microsoft's operating system will again face fair competition and will have to resume competing based solely on the merit of the OS itself, its features and its price. Although it is extremely hard to predict how much time it would take to reach that point, a conservative guess would be 5-7 years.

That might seem like a very slow course of action for a remedy but its slowness would allow a smooth and non-disruptive transition from monopoly to fair competition as third party developer catches up to the lead obtained by monopoly. It would revitalize the industry and renew the creativity and commercialism of third party developers, in fair competition. It is even the opinion of this writer, that those file formats should become regulated by standard bodies from the industry like JPEG and MPEG were.

If Microsoft judges that this argument is moot because it pretends to fully disclose those formats already, then including it in the settlement should not be an issue. If Microsoft objects and tries to use patent, trademark or industrial secret arguments, then it only strengthens the validity of the argument itself.

Please note that this suggestion is only seen as an additional item of the settlement and therefore meant as complementary.

Thank you and God bless America.
J.G.

MTC-00013922

From: HeleneTr@aol.com@inetgw
To: Microsoft ATR
Date: 1/18/02 7:22pm
Subject: Microsoft Settlement

10 Moreland Ave.
Bethlehem, PA 18017
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I would like the Department of Justice to agree to the provisions of the November decision and settle the Microsoft antitrust suit. Those nine states are unfairly holding up the end of the court case. Microsoft has in good faith made concessions and now it is time to stop this litigation. U.S. District Judge J. Fredrick Motz made a bad court decision when he ruled on January 11th. Let

us move on. We have spent enough time on these issues.

Sincerely,
Barbara Reinoehl

MTC-00013923

From: Alex
To: Microsoft ATR
Date: 1/18/02 7:25pm
Subject: Microsoft Settlement

In my opinion, Microsoft should buy for schools computers and software from one of their leading competitors, Apple, as to help stop their monopoly from growing into this area.

Alex Keeney

MTC-00013924

From: John C Trosie
To: Microsoft ATR
Date: 1/18/02 7:27pm
Subject: Microsoft Settlement

For the good of all concerned, the economy, the government and all of the allied industries and companies a swift end to the controversy should be made as per the Settlement which is firm and fair and good for the consumers

John C Trosie

MTC-00013925

From: Bob Harris
To: Microsoft ATR
Date: 1/18/02 7:37pm
Subject: Microsoft Settlement

I urge that the settlement proceed on basis of the MS offer. Let's get this mess behind us. I'm no computer expert though as a senior I've wrestled with them for 12-13 years. I find it hard to believe that people buying computers and software are misled or trapped into buying MS. The complaints have been from a minority and I beleave from those envious of the success of, or are competitors of, MS.

Though I have both COX and AOL I'm more concerned about the size, spread and options of AOL than MS.

It was and is, a tough competitive field out there, MS has done a better job. Thanks for reading (listening?)

Robert E. Harris

MTC-00013926

From: Mark Lawler
To: "Microsoft.atr(a)usdoj.gov"
Date: 1/18/02 7:50pm
Subject: Microsoft Settlement

I find this entire case against Microsoft ridiculous. Just close the books on it and quit wasting my tax dollars.

What type of car do you drive? Does it have a built in heater for your comfort? Air conditioner? How about a radio? Cup holders? You see, if I apply the same logic the DOJ used in this case against Microsoft your vehicle shouldn't have these things at all. A car is nothing more than a platform and as such automobile manufacturers have had an unfair competitive advantage to add these things to their default platform; they should have been stopped from doing so years ago. Just think of the companies squeezed out of business when the auto manufacturers added cup holders to automobiles a couple of years ago? How much revenue did the local gas station lose when people quit buying cup

holders? Forget that it makes sense for a cup holder to be an integrated part of your interior and that a 3rd party add-on that hangs from a vent or a window crack is ugly, ill fitting, and gets in the way: It's wrong and the DOJ should have stopped the automobile manufacturers from using their platform in a monopolistic way against these poor third party vendors. Yah, right. . .

Look guys as stupid as this sounds it's the very same thing with Microsoft and this case. All these features they Microsoft is accused of adding where things that customers asked them to make part of the operating platform for better integration and for a more streamlined and pleasurable customer experience. It is nothing different than what Ford does every day when it makes a design decision for one of its new cars.

mark
Mark Lawler
Chief Technology Officer
office (503) 889-4815
cell (503) 329-8967
ProSight, Inc.,
Portfolio Management for Technology
Leaders

MTC-00013928

From: Kane Lauck
To: Microsoft ATR
Date: 1/18/02 8:08pm
Subject: Microsoft Settlement

It's obvious Microsoft uses techniques involving baiting and torture. They bait the customer with shoddy piracy control or low prices, then they torture them with increased prices and unbreakable software control.

Mac OS X is much stabler and intuitive.
Kane Lauck
Savannah, GA
Savannah College of Art and Design

MTC-00013929

From: BryantKing
To: Microsoft ATR
Date: 1/18/02 8:11pm
Subject: Microsoft Settlement

Please proceed with the proposed settlement. Let the people that pay the majority of taxes get back to work. And be thankful they still WANT to work. If Microsoft has agreed to this settlement, then get on with it.

Sincerely
Bryant A King

MTC-00013930

From: Travis Minke
To: Microsoft ATR
Date: 1/18/02 8:14pm
Subject: Microsoft Antitrust Settlement
Opinion

I am 27yrs old, have a Master of Science degree in computer science, and have been working professionally in the computer industry for 5 years. I have experience developing on the Windows, Solaris, IRIX, and Linux operating systems. I have also been closely following the Microsoft Anti-Trust case, and wanted to take this opportunity to add my opinion. I am very disappointed with the settlement reached between DOJ and Microsoft. I applaud the nine states who have the strength of character to keep fighting for what is right. It has twice been determined that Microsoft has abused

it's monopoly, and yet the DOJ has rolled over and basically given Microsoft a sweetheart (slap-on-the-wrist) deal. I don't, in any way, think the settlement offers fair punishment, or sufficient protection from future behavior.

Microsoft is so blatantly confident in its ability to dominate without interference, that in the midst of this trial it openly pushes ahead with its .NET/HAILSTORM plans. Microsoft has (finally) realized that the internet is the key to control in the future (whereas the OS was in the past) and is making every move possible to dominate that space in the same way.

Microsoft claims it needs freedom to innovate when in fact Microsoft has innovated very little over the years. Most technological breakthroughs commonly attributed to Microsoft were either stolen, copied, or bought. If anything I would argue that Microsoft has sufficiently stifled innovation to put the software industry a decade behind. They are a two-faced company that presents a good (Disney-esque) image to the public, while a minimal amount of scrutiny provides a wealth of information to the contrary.

Microsoft's weakness is being exploited today by the open source movement, specifically the gnu/linux project and the GPL. Here is a model they cannot steal, copy, or buy. It disgusts me, but is not surprising, that in the face of some real competition they don't innovate their way to a better product and compete on merit, but instead look for every possible emotional (FUD), legal solution to the problem. The current settlement provides no real punishment to Microsoft. Further indoctrinating a future generation of computer users is not a punishment in any sense of the word. There is specific language in the settlement which excludes the open source movement from any of the information sharing Microsoft might be forced into. If anything the settlement should spur competition, which as mentioned above means the open-source movement. I also believe the three-person supervisory panel will end up being a facade with no real power. (The selection process requiring Microsoft's approval pretty much guarantees this.) Others have commented at great length as to the loopholes and weaknesses of the settlement and I won't try to duplicate that here.

To summarize, I and the software industry have been harmed by Microsoft's abuse of it's monopoly and I do not feel the current settlement does anything to address their past abuses, or insure future protection from such abuses. I am gravely disappointed in the US Department Of Justice for its incomprehensible capitulation to my generation's biggest bully.

Sincerely,
Travis Minke

MTC-00013931

From: Isburgh, Peter
To: "Microsoft.atr(a)usdoj.gov"
Date: 1/18/02 8:18pm
Subject: comments

Dear Sirs,

Given the preponderance of monopoly abuse evidence against the defendant (as

documented in the Findings of Fact), how does the proposed settlement send a message that this behavior will not be tolerated by the United States? In fact, it rewards it! Please make the punishment fit the crime, which should be measured in the billions of dollars for punitive damages. How about using the award to fund a software technology incubator to rebuild the competition that Microsoft has so effectively repressed?

MTC-00013932

From: Bill Bogart
To: Microsoft ATR
Date: 1/18/02 8:18pm
Subject: Microsoft Settlement
4560 South 3065 East
Salt Lake City, UT 84117-4664
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft: I have been following the Microsoft antitrust settlement since it entered the federal courts three years ago. I do not believe suit should have been brought against Microsoft to begin with, and perhaps the settlement is too harsh with Microsoft, but in the interest of wrapping up the case, I believe the settlement should stand and the Justice Department should move on. I cannot fathom why half of the plaintiff states in this case wish to continue litigation against the Microsoft Corporation unless their ultimate goal is to bring about the destruction of Microsoft itself. There is nothing I see in the settlement that is unfair to the plaintiffs. Microsoft has, in fact, agreed to terms in the settlement that cover issues not on trial in the antitrust suit, solely in the interest of closing the case. Among other things, Microsoft has agreed to provide a party acting under the terms of the agreement with a license to pertinent intellectual property rights to prevent infringement. Moreover, Microsoft has agreed to license the Windows operating system to twenty of the largest computer makers on identical terms and conditions, including price. Mr. Ashcroft, I urge you not to allow this to go on any longer. No more action needs to be taken at the federal level. The settlement should stand.

Sincerely,
William Bogart

MTC-00013933

From: william r finch
To: Microsoft ATR
Date: 1/18/02 8:46pm
Subject: microsoft settlement

microsoft has stolen all its ideas and products-mostly from apple-it acts in restraint of trade and crushes any attempt at fair market competition-it should be broken up in small pieces and gates fined most of his illegal profits and jailed-respectfully-william r finch,102 mill pond rd,denton,texas 76209

MTC-00013934

From: Rick Borie
To: Microsoft ATR
Date: 1/18/02 8:46pm
Subject: Microsoft settlement

I intend to read the available information regarding the case and follow up this email when I can get some time. However, being a

Macintosh fan I'd like to express my opinion based on my experience over the past decade or so as a Systems Administrator. First, Microsoft doesn't innovate—they copy existing technologies and then put them in Windows. They modify Windows occasionally so competitors software won't work as well or not at all. (Ex. Apple's QuickTime, Sun's Java) In short, they don't compete. They just find a way when possible to crush their competitors. Normally with their mediocre version of the product. Their latest proposal to satisfy this case (donating systems, software, etc. to schools) is just one example among countless other that shows their arrogance and unethical way of doing business. This was so obvious I think a 4 year could see right through it.

I firmly believe that the computer industry as a whole would have advanced much more quickly without Microsoft's illegal practices. I also believe they will continue to do business this way unless this settlement forces them not to. I believe the settlement needs to make so that Microsoft only gains when they develop a better product than the competition. We all lose when the only game in town is Microsoft. I don't think the government should use Windows at all. I believe for all of the obvious reasons the government should use Linux almost exclusively. If they need to run Windows applications they can use a Windows emulator that runs on Linux. Let's face it, Linux is cheaper, faster, more secure, more customizable, comes with more applications, works and looks like Windows and wouldn't force the government to be tied in any way to Microsoft.

I realize none of this is news to anyone familiar with the case but, I just feel better knowing I did something about something that is so obviously wrong. If anyone actually gets to read this, thanks. Here's hoping for a level playing ground,

Rick Borie

P.S. I'm sending this on Mac Cube with OS X and no Microsoft software was used.

MTC-00013935

From: Vygr13@aol.com@inetgw
To: Microsoft ATR
Date: 1/18/02 8:46pm
Subject: Microsoft Settlement

You have on your hands a tense situation. Surely the economy suffers if actions too drastic are taken. Does justice come second when the stock market's shaken? A matter wrapped in choices for endless contemplation.

MTC-00013936

From: Mike Kisch
To: Microsoft ATR
Date: 1/18/02 8:34pm
Subject: Microsoft settlement

Please consider this carefully as I think a great many times punishing the big guy because someone didn't get what he wanted hurts the consumers most. Mike

MTC-00013937

From: rbryant1
To: Microsoft ATR
Date: 1/18/02 8:49pm
Subject: Microsoft Settlement

After stealing—IS THAT REALLY TOO STRONG A WORD/CONCEPT?—the GUIinterface from Apple (which Apple paid for the early research and further perfected!) and foisting continually crappy software and ignoring virus/security and destroying countless lives and businesses thru its'longtime corrupt and illegal business practices. it is so nice to see the government of the PEOPLE—FOR THE PEOPLE let MICROSOFT OFF THE LEGAL HOOK and in the process to slip its" crappy practices into the educational system thereby hurting APPLE. MAY YOU ALL LIVE LONG ENOUGH TO REALLY REGRET IT AS MUCH AS THOSE THEY HAVE ALREADY HURT/DESTROYED.

MTC-00013938

From: Robert Pettigrew
To: Microsoft ATR
Date: 1/18/02 8:50pm
Subject: Microsoft Settlement

To whom it may concern,

I was thrilled to see the Microsoft proposal rejected. Kudos. As for having anything monumental to suggest for the penalty, I am afraid I haven't any groundbreaking thoughts. However, I think it is vitally important to remember exactly who the monopolistic and egocentric tactics of Microsoft really hurt. These being the many businesses that were diminished, or extinguished as a result, and the public themselves who lost any opportunity to support and/or nurture any competitors that would have otherwise had a viable vehicle to present their products. Microsoft was responsible for all of this, and more.

The most disturbing thing to, up to this very day, is how Microsoft feels they are above the law; above the rights of the people. . . In general, how they see themselves as having done nothing wrong.

If I were to have the "blood on my hands", if you will, that Microsoft (who knows better than anyone else that it does) has, I would be very afraid. I strongly believe that they should have to pay dearly to the real victims of their actions. As to what that "price" will be, I can only hope that the DOJ and the courts will dispense no less than what they have coming to them, and trust it will be so.

Warmest regards,
Robert Pettigrew

MTC-00013939

From: Philip Katz
To: Microsoft ATR
Date: 1/18/02 9:00pm
Subject: Microsoft Settlement

To Whom it may concern, I think the settlement worked out between Microsoft and the DOJ is unacceptable, especially in the area of education. By Microsoft giving their own products to schools, they are going to create a monopoly in about the only area they don't already have one. A better solution would be to distribute funds to the poor schools and let them decide what to buy with it. That way if Microsoft does become a monopoly in education, it will be legitimate. Thank you for your time.

Philip Katz

MTC-00013940

From: BJCROSSMB@aol.com@inetgw

To: Microsoft ATR
 Date: 1/18/02 9:02pm
 Subject: MICROSOFT SETTLEMENT
 Robert W Cross
 310 75th Avenue N Apt. 8
 Myrtle Beach, SC 29572-4205
 January 17, 2002
 Attorney General John Ashcroft
 US Department of Justice
 950 Pennsylvania Avenue, NW
 Washington, DC 20530-0001

Dear Mr. Ashcroft:

I am without a doubt in favor of Microsoft. In fact, this has been the case since the very beginning and no element of the litigation against them has caused me to feel otherwise. If anything, this legal action against them has only strengthened my respect for this highly progressive company. Microsoft has given a true example of professionalism, diplomacy and fortitude. The government on the other hand has given the people reason for confusion and doubt. Confusion because of the distortion of the concept of free enterprise and doubt in the government's ability to reach expeditious and fair resolutions of complex matters.

Microsoft has chosen to accept restrictions and obligations that extend to products and technologies that were not at issue in the lawsuit. They have also agreed to broad terms involving aspects of Microsoft's business and product development that were not found to be unlawful by the Court of Appeals. I think this is a clear indication of that Microsoft is willing to compromise with the government.

This lawsuit has caused severe damage to the economy and has drastically reduced production in the software industry. Putting an end to this protracted legal tussle by accepting the settlement will have a multitude of benefits. I hope that my views and those of others will help bring this matter long awaited closure.

Sincerely,

Robert W Cross

MTC-00013941

From: Cabins519@cs.com@inetgw
 To: Microsoft ATR
 Date: 1/18/02 9:09pm
 Subject: Microsoft Settlement

Settle !!!!!!!!!!!!!!! Let us move on with all that we may be!

We, the people!

MTC-00013942

From: DMMerriman@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/18/02 9:09pm
 Subject: Microsoft Settlement

I think that the government should not interfere with Microsoft. I think free enterprise works best while left alone. I think the consumer will sacrifice the most from any settlement or judgment against Microsoft.

Sincerely,

David M. Merriman

MTC-00013943

From: Harry Reisenleiter
 To: Microsoft ATR
 Date: 1/18/02 9:16pm
 Subject: Microsoft Settlement

Sir or Madam: After following the court case, appeal, and settlement process, I find it necessary to offer the following thoughts.

First, some background. Before entering the computer field fulltime, I spend 4 years earning my undergraduate degree and 4 years in the United States Air Force. I studied computers in college and in my time in the USAF.

I've been in the computer business since 1969, working through mainframes, midrange computers, desktops, laptops, palm tops, and hybrids. I've been fortunate to deal with innovative companies and with ethical companies. I've also had the misfortune of dealing with copy-cat companies and unethical companies. I've been on very successful projects providing customer-lead solutions in retail, wholesale, education, finance, manufacturing and now management services.

Many of my experiences with vendors have been pleasant, and many by necessity, have been with Microsoft.

I believe that the settlement under review at this time is grossly inadequate to address the unethical, monopolistic practices of Microsoft. Microsoft's business practices (unethical pricing, contract manipulation, illegal bundling, hidden code) have driven many creative companies out of business. Do to their actions, there are no longer any real competitors in any software field Microsoft has chosen to enter.

Microsoft gained dominance by controlling the operating system and by bundling (and "dumping") software. Current pricing reflects the lack of competition. One example: When Word Perfect was a real competitor, Microsoft priced MS Word at \$99. Now, MS Word is more than twice that price. Similarly, when Lotus 1-2-3 was a real competitor (and, remember, there was also QuatroPro), Microsoft "dumped" Excel, too. Then, after purchasing what became PowerPoint, Microsoft began bundling those three pieces of software for a price hardly higher than Word Perfect (or Lotus 1-2-3) alone.

Microsoft has distorted (lied) about "innovation", "great software", "customer focus", and "competition" throughout the trial and appeals process.

Let's take "innovation". Except for Windows OS and Excel (which was originally written for Macintosh), Microsoft has not created any new software. They've purchased Word, PowerPoint, Internet Explorer, FrontPage and Outlook. They've only innovated in pricing and bundling; not real technological innovation.

Let's take "great software". Compare Palm's Desktop to Microsoft Outlook, specifically recurring meetings. In Palm, if you cancel an existing recurring meeting, the software presents 3 choices—"this one", "all future", and "all". Thus, meetings in the past will reflect history accurately. In Outlook, you are only given 2 choices—"all" or "this one". Past recurring meetings, then, are lost. This is not "great", but very poor design. Another Microsoft distortion.

In closing, I have but one request: please don't let this agreement stand. It is far too soft and will not change a thing as it currently is written. Microsoft has earned, and continues to earn, punishment. And that punishment needs to be behavior altering, not a mere shaking of the finger.

Thank you,
 Harry Reisenleiter

MTC-00013944

From: Alex Brubaker
 To: Microsoft ATR
 Date: 1/18/02 9:28pm
 Subject: [Fwd: microsoftsettlement]

To who it may concern,

It is beyond doubt that Microsoft has been judged to have systematically employed monopolistic and unfair business practices. By playing our legal system like a virtuoso, it has avoided any real harm to its core businesses and in fact has proven that it is better to break the law and pay what ever small price in order to gain momentum and market share. Microsoft is unchallenged and there is no end in sight.

Any person that works in high tech sees the on-going effects of the monopoly that continues unabated. Technology important to US technological leadership is diluted and resisted because it doesn't fit into Bill Gate's vision of Microsoft's corporate hegemony.

Now Microsoft is going to be "giving" Windows XP to 12,000 of the nations's poorest schools. What a great ploy. Now these 12,000 schools will depend on Microsoft upgrades as well as train hundreds of thousands of future Microsoft consumers. Let's face it. Microsoft has won and owns us the future of computing for the foreseeable future. Please, someone have the decency to stand up and add an asterisk to this sad chapter in American corporate history. A better punishment would be to forbid Microsoft from giving XP to schools and let Apple use this marketing technique if it so chooses. That's how idiotic this "compromise" is.

Sincerely,

Ken Mendoza

408-585-3903

160 Towne Terrace %5

Los Gatos, Ca 95032

MTC-00013946

From: ken borgerding
 To: Microsoft ATR
 Date: 1/18/02 9:38pm
 Subject: Microsoft Settlement

My thoughts—let it go already. The economy is having a hard enough time without you folks trying to sue successful companies into the ground.

Did you notice that when you started penalizing companies for being successful, the stock market and the economy started to head south. Settlement??? You may want to consider apologizing instead.

MTC-00013947

From: mae-sallee beals
 To: Microsoft ATR
 Date: 1/18/02 9:50pm
 Subject: Microsoft

I would like to urge your department to expedite the settlement pending regarding Microsoft at the terms currently proposed by Microsoft. Their proposed settlement will benefit many.

Sincerely,

Mae-Sallee Beals,

MTC-00013948

From: Michael L Anderson

To: Microsoft ATR
 Date: 1/18/02 10:29pm
 Subject: Microsoft Settlement

I am very disappointed with the Department of Justice's proposed settlement with the Microsoft Corporation, which amounts to another consent decree. Unfortunately, Microsoft has already demonstrated beyond any reasonable doubt that it has no respect for consent decrees; its egregious violations of the 1995 consent decree are what brought about the current case.

Those familiar with the computer industry are well aware that Microsoft's success has less to do with superior products (most experts agree its products are of generally mediocre quality at best), and more to do with its ability to leverage its monopoly in the operating system market, in which Windows has become the de facto standard. Its recent pricing changes with respect to Office and Windows business sales—nearly doubling the price of the licenses and now literally forcing business to buy its upgrades, even when they don't want them—demonstrate blatant abuse of its monopoly power, in the face of an ongoing anti-trust case no less! Any other business would lose enormous amounts of sales if it doubled the price of its product without substantially improving the quality, but Microsoft's market power is so extensive that it can do so with near impunity.

The demonstrated ineffectiveness of consent decrees with respect to Microsoft, and the company's continuing abuse of its monopoly power, call for strong and effective remedies. Regulatory remedies in which the government directly supervises and dictates Microsoft's behavior are undesirable for obvious reasons. Instead, the Department of Justice should push for significant structural remedies, such as the breakup originally proposed by Judge Jackson. Only then will consumers benefit and will competition and innovation, the hallmarks of our great economic system, continue to flourish.

Sincerely,
 Michael Anderson

MTC-00013949

From: Chris Klick
 To: Microsoft ATR
 Date: 1/18/02 10:43pm
 Subject: Microsoft Settlement

Dear DOJ:

Despite the fact that the appeals court found Microsoft to have abused monopoly powers, I urge you to settle this case by dropping it, apologizing to Microsoft, and paying their lawyers' fees. Then you should close your antitrust division and wrap up paperback copies of "Atlas Shrugged" to serve as the severance package for your laid-off lawyers.

You should drop the case because antitrust law is immoral. It infringes upon businesses' inviolate property rights. Worse, it targets the most successful businesses because and to the extent that they are successful. Therefore it is ragingly anti-capitalist, like the progressive income tax. Secondly, from a legal standpoint, antitrust law is ex post facto and therefore unconstitutional. There is no way for a business to know that it is violating

the Sherman Act until a court, years later, defines its "market" at the time of the alleged violation. Even if Microsoft itself (as evidenced by their emails) intended to dominate a recognized "market" at the time, this means objectively nothing. It was only Microsoft's opinion at the time.

Chris Klick
 Houston, TX 77006

MTC-00013950

From: Charles H. Kohler
 To: Microsoft ATR
 Date: 1/18/02 10:57pm
 Subject: Microsoft Settlement
 Charles H. Kohler
 36 Mayflower Avenue
 Williston Park, NY 11596-1518
 January 17, 2002
 Attorney General John Ashcroft
 US Department of Justice
 950 Pennsylvania Avenue, NW
 Washington, DC 20530-0001

Dear Mr. Ashcroft:

Microsoft and the Department of Justice recently settled their three year long court battle. I understand there is now a period of public comment, and I wish to add my support to this agreement. I do not think it should have happened in the first place. The lawsuit was more a problem of sour grapes on the part of the competition than any real unfair business dealings. The antitrust laws were created to protect the consumer, yet Microsoft has done nothing but help the consumer. Computer products are far cheaper than they were ten or fifteen years ago; software programs are simpler and easier to understand, and much more affordable to the average consumer. Bill Gates has made software technology part of everyday life.

The agreement reached by Microsoft and the Department of Justice did not let Microsoft off easy.

Microsoft has agreed to open up the company in such a way that computer makers will be able to configure Windows so as to promote non-Microsoft software programs; companies will be able to achieve a greater degree of reliability with regard to their networking software. And Microsoft has agreed to a technical committee, which will monitor the firm. I doubt other firms would do as much. It is time to go forward again. We have been through a rough time; but we are bouncing back. Letting Microsoft get back to business is a way to do this. Please give your support to this agreement.

Sincerely,
 Charles H Kohler

MTC-00013951

From: Walter Palmer
 To: Microsoft ATR
 Date: 1/18/02 10:58pm
 Subject: Microsoft settlement

I oppose Microsoft's proposed settlement to the anti-trust suit because donating Windows computers is just another marketing move disguised as a "punishment". They should donate the money for schools to spend as they wish. If they insist on donating computers, 1/3 should be Windows computers, 1/3 Mac and 1/3 Unix machines. Settlements of criminal trials are supposed to hurt—they are not supposed to act in

furtherance of the business which has been found guilty.

Take Care
 Walter

"For three days after death, hair and fingernails continue to grow but phone calls taper off."—Johnny Carson

MTC-00013952

From: J. G. Edwards
 To: Microsoft ATR
 Date: 1/18/02 11:04pm
 Subject: Microsoft Settlement
 To Whom it may concern,

I am a resident of the State of Utah, and a stock holder of Microsoft. I have written to the AG of this state, and also the Governor, and asked the question: "When this State has a 202 million overrun in it's budget this year, and \$700,000 of my tax money has already been spent to on this lawsuit, when the majority of the States, and the Federal Government have reached an agreement which I believe is more than adequate, why does the State of Utah think they know any better. It appears to me that the State of Utah is merely trying to find some deep pockets to reach into, and it has not be shown that the citizens of this state have been damaged by the practices of Microsoft, therefore I demanded, in writing to the AG of Utah, that the State of Utah cease this action at once.

I have been involved in the development of software for a number of years, and I believe that the solution that is on the table with it's attendant monitoring will provide adequate controls in the future without hindering Microsoft's ability to develop software and products which are required for this country to maintain it dominate world-wide position in this most important industry.

MTC-00013953

From: Derrick Eisenhardt
 To: Microsoft ATR
 Date: 1/18/02 11:10pm
 Subject: Missing Item

Microsoft has a habit of buying innovative companies to either kill the product or incorporate it into the Windows OS. This does nothing but hurt the advancement of technology leaving all innovation to pretty much just Apple.

There should be some sort of ruling that blocks Microsoft from buying companies at will without serious review as to how it will use the intellectual property it buys.

Thanks

MTC-00013954

From: Annaleah Atkinson
 To: Microsoft ATR
 Date: 1/18/02 11:27pm
 Subject: Microsoft settlement

Dear Sirs/Madams;

It is very wrong to allow Microsoft to foist it's computers on our schools, effectively taking away the choice of which system will be used by our children. In our open market it is vital to have choices, and the school systems that prefer Macintosh or Linux will no longer have a choice.

Microsoft needs to cough up the cash and let the schools decide what they need, please don't let this get crammed down our throats.

Thank you,

Joshua Atkinson

MTC-00013955

From: Lawrence MacDonald
To: Microsoft ATR
Date: 1/18/02 11:48pm
Subject: Microsoft Settlement

Gentlemen:

The Microsoft litigation must be brought to an end. The settlement terms seem fair to all parties concerned and it is important that this long standing matter be brought to a conclusion for the good of the economy and the country.

Lawrence E. MacDonald
Crossville, TN.

MTC-00013956

From: Andr(00E9) Bakker
To: Microsoft ATR
Date: 1/18/02 11:54pm
Subject: FW: MICROSOFT is a monopoly!!!

My opinion is that microsoft is a monopoly and that they probably bribed their way out of the class action case

MTC-00013957

From: Debra Shaffer
To: Microsoft Settlement
Date: 1/18/02 7:25pm
Subject: Microsoft Settlement
Debra Shaffer
532 Turkey Lane
Fountain Inn, SC 29644
January 18, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies. Thank you for this opportunity to share my views.

Sincerely,
Debra Shaffer

MTC-00013958

From: Barbara Lawrence
To: Microsoft Settlement
Date: 1/18/02 2:44pm
Subject: Microsoft Settlement
Barbara Lawrence

P.O. Box 90536
Honolulu, HI 96835
January 18, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Sincerely,
Barbara L Lawrence

MTC-00013959

From: Lloyd Briley
To: Microsoft Settlement
Date: 1/18/02 7:20pm
Subject: Microsoft Settlement
Lloyd Briley
2101 Mark Twain Drive
Antioch, CA 94531-8304
January 18, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Lloyd D. Briley

MTC-00013960

From: Joyce Kelly
To: Microsoft Settlement
Date: 1/18/02 7:36pm
Subject: Microsoft Settlement
Joyce Kelly
216 Tom Bell Rd. 153
Murphys, CA 95247-9643
January 18, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Joyce M. Kelly

MTC-00013961

From: Jimmie Lindersmith
To: Microsoft ATR.fin@
mobilizationoffice.com@inetgw
Date: 1/19/02 12:01am
Subject: Microsoft Settlement
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

Thank you for the opportunity for public comment on the Justice Department's settlement agreement with Microsoft. Please make mine a "yes" vote for the settlement.

Microsoft has agreed to terms in the settlement that go beyond the charges in the lawsuit in an effort to settle the case and move on. Microsoft has answered the complaint that I have heard over and over

again about the inability of Windows users to operate non-Microsoft programs within the Windows system.

The terms in the agreement are fair to all parties represented in the lawsuit. I would like to see this case finally settled and satisfied.

Thank you for your consideration.

Sincerely,

Jimmie Lindersmith

MTC-00013962

From: matt webb

To: Microsoft ATR

Date: 1/18/02 11:58pm

Subject: unhappy with microsoft!

microsoft needs to have a stronger penalty applied to them, while i myself am a windows user, microsofts behavior about their actions is very unbecoming. . . you may one day hear the argument "just because we make the most popular lighter in the business, doesnt mean that we have a monopoly on the lighter industry". . but when the microsoft corporation adopted the attitude "we are the best, to he** with the rest", thats pitiful, it shows that they have no desire for competition, they WANT to be a monopoly, period. .

MTC-00013963

From: LaneStacy

To: Microsoft ATR

Date: 1/19/02 12:07am

Subject: Microsoft Agreement

I just want to say that I have owned every copy of MS Windows since Windows 286. I refuse to go farther. Each release includes more bloated garbage that is just enough to put legitimate software vendors out. How does one compete with free? The free software agreement is like Wal-Mart giving its employees a discount. They work for x dollars then give it back to the company for goods that were purchased wholesale. Through this arrangement, Wal-Mart gets a 90% mark up, keeps its money in house and pays a reduced price for labor. The same goes for Microsoft, they get to spread their wares, thus taking away potential sales from other companies, get free advertisement through the youth of the contry, and pay with intellectual property that has no tangible value. What a bargain for Microsoft. Hit them where it hurts. Give people a smaller Windows and take the cash from Bill and Company. Better yet, have them pay in precious metals. I have decided to hurt them where it counts by exercising my consumer choice. I have begun selling all of my PC's and just purchased a new Macintosh with no MS software installed. In addition, I feel that they have encroached in everyday life too much. The Passport program is a fine example. Why would I want to give someone like a large corporation all of my financial data for "safe keeping?" XP and the ".NET" strategy is another joke. When did software become a corporate lease. In the good old days one purchased a software product and it was his free and clear. Has Washington lost its mind? Why don't they start issuing titles and get the bureaucrats involved? We the people can start paying a yearly tax to hold a valid computer software use license as well. Where will it stop if you don't get

involved and shut Microsoft's practices down? I urge you to come up with a more neutral and agreeable settlement that has American business competition in the best interest.

Thank you,
Lane Spence

MTC-00013964

From: Jim Botts

To: Microsoft ATR

Date: 1/19/02 12:14am

Subject: Microsoft settlement

Don't ever give up: WE can beat this.

Jim and Shirley Botts

MTC-00013965

From: Gail Watts

To: Microsoft ATR

Date: 1/19/02 12:15am

Subject: Microsoft Settlement

Dear Ladies and Gentlemen: I like to sleep well at night knowing that I live in a country which creates rulings and laws which are fair to all involved. I think this country has been through enough with all the recent events especially the September 11th crisis. Please settle the Microsoft Case so we can all get a good night's sleep. I think this company has made a fair offering which will benefit everyone. In my experiences with life, I've learned that you just can not please everyone. So, if the majority of states accept the Microsoft proposal, go with it. Thank you. P. G. Watts

MTC-00013966

From: Keith Joyner

To: Microsoft ATR

Date: 1/19/02 12:18am

Microsoft settlement question

I briefed the settlement information as presented and felt the duration of five years was insufficient. Their misdeeds have been going on far longer than that. I may have missed it, but I did not see a penalty for their illegal business activities. There should be a substantial penalty. I am saying this as a stock holder in Microsoft! But I would like to see the company remain honest and responsible in the years to come.

Keith Joyner
11216 E. Dale Lane
Scottsdale, AZ 85262
480-419-0979

MTC-00013967

From: Clive M. Ebsen, CR

To: Microsoft ATR

Date: 1/19/02 12:51am

Subject: Microsoft

I feel the punishment should be a breakup of the Company!!!!!!!

Clive M. Ebsen

MTC-00013968

From: Steve Seaquist

To: Microsoft ATR

Date: 1/19/02 1:00am

Subject: Nothing short of splitting the company will suffice

Only if Microsoft is split at least 6 ways will other companies be able to compete against this evil, corrupt behemoth (*):

- (1) operating systems (Windows)
- (2) applications software (Office, MS Works, Publisher, etc)

(3) hardware (X-Box, UltimateTV, Microsoft Mouse, etc)

(4) development tools (Visual Basic, C++, SourceSafe, etc)

(5) Internet products (MSN Messenger, Internet Explorer, BizTalk, etc)

(6) Internet services (MSN, WebTV, Hotmail, etc)

* Gates and Ballmer must sell their interests in all but one of these. Each of the companies must be prohibited from moving into the other 5 companies' lines of business for at least 8 years.

Only then would the resulting companies' products stand or fall on their own merits, rather than be exalted to de facto standard status by the sheer weight of their company's position in the marketplace.

AND ONLY IF OTHER COMPANIES CAN COMPETE WITH THEM WILL THEIR EVIL BUSINESS PRACTICES STOP.

Because it lacks the element of returning the marketplace to competition, the current settlement proposal is no more likely to work than the appeasement of Hitler did before World War II.

Steve Seaquist

MTC-00013969

From: Jonathan Ah Kit

To: Microsoft Tunney Act review

Date: 1/19/02 12:58am

Subject: Microsoft Settlement

Sir/Madam,

Re: Microsoft Settlement

I have read the provisions of the proposed settlement as described at http://www.usdoj.gov/atr/public/press_releases/2001/9463.htm this afternoon. I feel while it is preferable to keep the company in one piece, it does not necessarily go far enough to encourage any major competition.

The licensing provisions Microsoft have employed as described at <http://www.cio.com/archive/011502/meter.html> by CIO Magazine, appear to force customer loyalty by employing a type of subscription model not previously employed in most Windows software—last time I saw this model was on a telnet client a New Zealand government department bought for its mainframe.

While its supposedly oppressive terms could actually be said to encourage purchases of competitors' products, it still could potentially be a case of Microsoft Corporation attempting to use its hold on current users to force more money out of them [corporate users]. Its monopoly position in this case is a bit different. There are competitors in the "office suite productivity software" market to Microsoft Office, but StarOffice (and OpenOffice) and KOffice—with the latter available for Microsoft's Windows grouping of operating systems—do not really have the profile due to Microsoft's Office offering being the de facto standard. Which makes education institutions, companies, non-profits as well as private individual people end up feeling compelled to take it.

This is fine, to a point. Being a de facto standard due to its market share can be okay—if it is not priced crazily like CIO Magazine in the above-referenced article on licence schemes for Office describes. In

analogies, it is like buying a manual gear car versus an automatic gear car. As in, it would probably be fair to say most people buy a manual because it is the standard and virtually everybody (give or take) is trained to drive one. But, it doesn't force everybody to buy a manual—not too much more expensive are equivalent automatic models. (Maybe people buy automatics for convenience and or ease, but that is out of the scope of this submission.)

Credit where credit is due, though. Microsoft's New Zealand operation has issued a version of Microsoft Office, called "Microsoft Office XP Standard for Students and Teachers", selling for about NZD280 to NZD300, inclusive of 12.5% NZ Goods and Services Tax. It requires no student ID or letter proving employment before buying it, so would require a user's honesty before it is bought. (NB: For this package, Microsoft has defined student and teacher as either a student or teacher of any education institution, including primary, intermediate, middle and high schools, as well as tertiary institutions such as universities, polytechnics and what NZ calls "private training establishments". It includes staff.) I would say that is still a high price for essentially a high price for private individual people to buy, however.

Details: <http://www.microsoft.com/nz/office/xp/forstudents/> (That also raises another issue, possibly out of the scope of this submission—piracy. Microsoft needs to adjust its curve of piracy versus pricing. Once it does so, there is a chance it can raise revenues. But as said, there is another story there.)

Lastly, I have a note regarding a scheme tying New Zealand schools to Microsoft software. Software is a slightly fickle business, so I can see some justification in having this scheme, but because of its centralised procurement nature, it does not tend to give competitors a look-in.

Details: http://www.microsoft.com/nz/presscentre/articles/2001/september-18_schools.asp I trust that this is of some use to you.

Regards,
Jonathan Ah Kit.

MTC-00013970

From: Mary Glenn
To: Microsoft ATR
Date: 1/19/02 1:31am
Subject: Microsoft

My name is Mary Glenn and I am a concerned citizen regarding Microsoft and the Proposed Final Judgement. I stand in opposition to allow Microsoft to continue as a monopoly. In this country we must protect the freedom and rights of business to grow and not be monopolized by one company or organization. We promote the rights of the big and small in this country. and monopolies virtually eliminate competition and the ability for us as citizens to choose.

I encourage and urge you to reconsider this Proposed Final Judgement and rather judge in a way that promotes freedom for all organizations not just the one with the most power and money. thank you for your consideration.

Mary Glenn

146 S. Berkeley Ave.
Pasadena, CA 91107
626-825-6432

MTC-00013971

From: Ray Petrone
To: Microsoft ATR
Date: 1/19/02 1:40am
Subject: Microsoft Settlement

Please consider this REUTERS NEWS Release. SEATTLE, Jan 17 (Reuters)—Microsoft Corp. (MSFT) on Thursday posted a smaller quarterly net profit — the result of a \$660 million legal charge...

The subtle message is that no matter what additional judgment might occur the lawyers of this country will be the big winners and certainly not consumers. That goes for lawyers employed on both sides of this fight. Consumers could probably have benefited more by having Microsoft focus more on its work of creating software and from the cost savings that might have been, at least in some small measure, passed on to consumers. Stockholders would have benefited and that means that a million households would probably have a bit more in this weak economy. And any number of children will receive somewhat less from the Gates Foundation in years to come. You can be cynical and scoff at my premise but you are probably ignoring facts that are easy to prove. Consumers by and large don't feel put upon by Microsoft or they would not have bought 15 million copies of Windows XP and 1.5 million units of Xbox. Consumers are happy with Microsoft just as it is or was while some Microsoft competitors feel that there chances to gain market share are better with government punishment of Microsoft than the chances their products and services offer.

Move on to more important work with more egregious offenders.

Respectfully,
R. Petrone, P.E.

MTC-00013972

From: Tim Sprandel
To: Microsoft ATR, Freedom To Innovate.
Date: 1/19/02 1:45am
Subject: Microsoft Settlement.

Dear Sirs or Madams, Please end the Microsoft controversy as soon as possible in order to return the Department of Justice and its Public Servants to the pressing matters of the Nation and to free the resources at Microsoft to invent new technology that may help the United States economy return to prosperity. I fully believe that the framers of The Constitution of the United States did not intend for our nation's government to become as large and involved as it has in so many places. I would feel much better if the personnel currently assigned to the Microsoft case were reassigned to locate and prosecute the insidiously evil terrorists that have managed to establish themselves here in our homeland. Preventing the loss of innocent lives is a far better pursuit and use of tax dollars.

Respectfully Submitted,
Ralph Timothy Sprandel
P.O. Box 181
Addison, Illinois, 60101-0181

MTC-00013973

From: Cheri and Michael Kinzer

To: Microsoft ATR
Date: 1/19/02 1:53am
Subject: Microsoft Settlement

The settlement agreement is just plain wrong. It is far too weak, and achieves nothing for the American people. It is, in fact, an embarrassing capitulation to corporate power.

The Justice Department tried this once before, to no avail whatsoever. How many times must we watch Microsoft expand its monopoly powers into new markets before something is truly done to put a stop to it. I can see that this administration has no interest in pursuing a breakup of Microsoft. That's too bad. Standard Oil's monopoly prior to its breakup was nothing close to the kind of damage and power abuses Microsoft has wielded. The same can be said for old Ma Bell, when it was broken up. Both of those were good things. Okay, you will not seriously consider doing what should be done: breaking up the big monopolistic 8000 pound gorilla So be it. That doesn't end the matter, though.

There is nothing about Microsoft which excuses what it has done and continues to do the technology sector. Have you noticed the price of the new XP system. Do you remember when Operating Systems upgrades cost \$20 or \$30 dollars. Now, Windows upgrades cost \$200 or \$300, and that has nothing to do with inflation—it is the direct result of monopoly power. If Microsoft is this bold with squeezing every dollar it can even though its case is not settled, what do you think it will do after it settles this case. When all its competitors are completely erased (e.g. Apple, Linux) and there are no viable consumer options, what do you think Microsoft will do to increase earnings in a flat sales market. it will continue to squeeze OEMs, software licensees, consumers, all of us. Its not too late to put a stop to it, but it must be done now, before we have no choice whatsoever.

MTC-00013974

From: jtaarud@mac.com@inetgw
To: Microsoft ATR
Date: 1/19/02 3:01am
Subject: Microsoft Settlement

332 U.S. 392, 401 (1947); United States v. Microsoft Corp., 253 F.3d 34, 103, 107 (DC Cir. 2001). Restoring competition is the "key to the whole question of an antitrust remedy," du Pont, 366 U.S. at 326.

Competition was injured in this case principally because Microsoft's illegal conduct maintained the applications barrier to entr... What, may I ask, does ordering Microsoft to equip schools with second hand or discounted software and hardware systems do to increase competition? I submit that this only strengthens the monopoly position of Microsoft at the expense of open competition from other suppliers. It is a slap in the face of every hard working employee at a competing company to watch Microsoft deduct from their income taxes the value of the software/hardware the U.S. government essentially directed Microsoft to donate into a market (schools) where they presently do not demonstrate a monopoly.

These are not "anti trust remedies" as referenced in the extract of the Department of Justice's own website.

It cannot be denied that Microsoft was found guilty. From the actions of the Department of Justice, it would almost seem as though the DOJ is apologizing to Microsoft for the slap it on the wrist it has proposed. As an abusive power, Microsoft is as important today as the DuPonts or railroads were of yesterday. The leader of our information society is a monopolist, and a dangerous one at that.

Do not coddle a tyrant.
Respectfully,
Jeff Taarud
2424 Montgomery Ave.
San Diego,
California 92007

MTC-00013975

From: David W. Polta
To: Microsoft Settlement
Date: 1/18/02 9:30pm
Subject: Microsoft Settlement
David W. Polta
1031 E. Hermosa Street
Santa Maria, CA 93454
January 18, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement: The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
David W. Polta

MTC-00013976

From: Warren Hilliard
To: Microsoft Settlement
Date: 1/19/02 2:45am
Subject: Microsoft Settlement
Warren Hilliard
PO Box 64448
Sunnyvale, CA 94088-4448
January 19, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement: The Microsoft trial squandered taxpayers' dollars, was a

nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Warren Hilliard

MTC-00013977

From: welter@att.net@inetgw
To: Microsoft Settlement
Date: 1/18/02 8:29pm
Subject: Microsoft Settlement
Don Welter
515 Defoe Dr.
Columbia, Mo 65203
January 18, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement: The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Don Welter

MTC-00013978

From: James Botts

To: Microsoft Settlement
Date: 1/18/02 11:29pm
Subject: Microsoft Settlement
James Botts
1006 Little Ave.
Grandview, MO 64030-2447
January 18, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

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Thank you for this opportunity to share my views.

Sincerely,
JIM & Shirley Botts

MTC-00013979

From: Edmund H. III Elkins
To: Microsoft Settlement
Date: 1/18/02 10:26pm
Subject: Microsoft Settlement
Edmund H. III Elkins
222 Champion Dr. NW
Cleveland, TN 37312
January 18, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

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progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Edmund H. Elkins III

MTC-00013980

From: The Rev. Tony Begonja
To: Microsoft ATR
Date: 1/19/02 4:13am
Subject: Microsoft Settlement

To whom it may concern: While the proposed settlement is a start, it is only a start. By itself, it functions as a weak "hand-slap". I strongly urge USDOJ to also ask the judge to impose a ten billion dollar fine on Microsoft. THAT would send the message to Microsoft that truly needs to be sent!

The Very Rev. Tony Begonja
Presbyter-Priest-Pastor, Researcher,
Webmaster, Author

MTC-00013981

From: Helmut Kobler
To: Microsoft ATR
Date: 1/19/02 4:35am
Subject: Microsoft Settlement

When are you guys going to grow some backbone and put Microsoft in its place????

They're making a mockery out of the justice system. We all know they broke the law re monopolistic practices, and they're now reaping the benefits of Windows' dominance in just about every field of computer tech. The latest proposed settlement was an absolute joke. Not only was it paltry (given that the company's illegal practices have made it richer than Midas) but they have the gaul to propose giving away a bunch of hardware/software to schools, so they look like heroes, and further undermine the position of a rare competitor (Apple).

If anything **close** to this settlement is ever accepted by the government, **you will all be laughing stalks in the eyes of history**. You'll make Neville Chamberlain look like a tough guy. If you had any guts, you'd realize that Microsoft needs to be BROKEN UP or SERIOUSLY CURTAILED in its current businesses, to make up for all that it gained by breaking the rules years ago. They are now absolutely dominant in operating systems, application software, enterprise/networking (what ever happened to Novell?). They're threatening to dominate handheld operating systems (seriously threatening Palm, due to synergies with Windows), consumer online services (threatening AOL, due to synergies with their OS and apps), and video games (seriously challenging Sony and Nintendo, and benefiting from their brand name, and the fact a lot of Windows technology has been leveraged into the Xbox). Most of what they do these days leverages off of technologies and business dominance they already have, and so they'll keep getting bigger and crushing more companies.

Please do something. Make the country believe that you're not just some mild-mannered caretaker, trying not to rock the

boat. What good are you if you can't perform when push comes to shove??

Helmut Kobler

MTC-00013982

From: berkjen
To: Microsoft ATR
Date: 1/19/02 4:39am
Subject: Microsoft Settlement
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft, My name is Inez Jensen. I am a resident of St. James, Missouri. I am writing to ask that the Justice Department implement the settlement recently reached with Microsoft. Under this settlement, Microsoft has agreed not to enter into any agreement that requires a company to distribute Windows exclusively. Microsoft has also agreed to license its Windows systems to computer makers on the basis of a uniform pricing list. I applaud Microsoft for these concessions. I know that this has been a difficult case for you, especially since it was not one of your making. Please take this opportunity to resolve the case on what I consider to be very fair and equitable terms.

Thank you for your consideration and attention.

Sincerely,
Inez Jensen
137 Burchwood Drive
St. James, MO 65559

MTC-00013983

From: Joseph Carrier
To: Microsoft Settlement
Date: 1/19/02 6:18am
Subject: Microsoft Settlement
Joseph Carrier
4402 Parker
Dearborn Heights, Mi 48125-2235
January 19, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement: The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Joseph Carrier

MTC-00013984

From: Kirk Smith
To: Microsoft Settlement
Date: 1/19/02 6:04am
Subject: Microsoft Settlement
Kirk Smith
3108 Avents Ferry Road
Sanford, NC 27330
January 19, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement: The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Kirk D. Smith

MTC-00013986

From: John Dwight
To: Microsoft ATR
Date: 1/19/02 9:00am
Subject: Microsoft Settlement
Dear Sirs and Madams, While the proposed settlement of UNITED STATES OF AMERICA, Plaintiff, v. MICROSOFT CORPORATION, Defendant, Civil Action No. 98-1232 goes a ways towards offering relief for OEMs, I believe the public and OEMS will still be in endangered unless two critical areas are addressed and awarded justice and relief. They are

1. The deep entrenchment of Microsoft operating systems in the Federal Government. and

2. Microsoft, The Public Internet, and Microsoft's .NET Initiative.

Item 1: While the government has been slow to recognize and act regarding the abuse in connection with the monopoly of Microsoft in the crucial area of operating systems, with the advancement of this suit and the absolute documentation of Microsoft abuse of it's monopoly position progress can now be made.

For the Federal Government to recognize and acknowledge the long standing harm done to the public, said OEMs and competitors by the abuse of monopoly power by the Microsoft Corp. on the one hand, and on the other to openly and actively promote the Microsoft operating systems in it's daily operation is a hypocritical and a huge miscarriage of justice.

Recommended solution: Set an example for the public and remove the offending Microsoft products from the Federal purchasing system or encourage the use of alternatives by enforcing the requirement of a serious justification for the purchase of new Microsoft products and continued use of legacy Microsoft products with an aim to the eventual removal of Microsoft operating systems from the Federal Government. Or simply ban the use of Microsoft products by the Federal Gov't.

At an anecdotal level, I am Federal employee of the Smithsonian Institution (henceforth referred to as S.I.) operating a web site on their behalf. I have viewed with alarm the increasing enforced reliance upon and blind insistence on the use and preference of Microsoft Operating systems for the operation of the Smithsonian's large and varied web presence. Documents available from the S.I. Webmasters office advise all of the many other S.I. webmasters to switch to Windows 2000 and the Microsoft Internet Information Server web server software (henceforth referred to as IIS). This despite daily documentation by the expert public at large that IIS is the least secure method of operating a web site, as well as the most expensive system when support costs are accounted for. This is a blatant tactic on the S.I.'s part to pander to and court a huge potential donor, Microsoft, as well as a shameful waste of public moneys. The appearance and encouragement of Gov't. collusion with a known abusive and criminal monopolist is offensive, unjust, and unwise.

Item 2: Microsoft's pattern of behavior in it's destruction of WordPerfect, and Netscape, it's elimination of Apple's ubiquitous QuickTime video from serious competition is again evident in it's proposed .NET initiative, with the eventual removal of freedoms and choice from the Internet -using public as it's aim. Clearly Microsoft has shown no remorse for it's actions. The concepts behind the .Net initiative must be studied and finally outlawed if the public is to avoid paying an "Internet tax" to the Microsoft Corp. in the future.

Sincerely,
John Dwight
webmaster
National Museum of the American
Indian—a Smithsonian Institution

MTC-00013987

From: Roger Morse
To: Microsoft ATR
Date: 1/19/02 9:40am
Subject: Microsoft Settlement

After reviewing what I know about the settlement Microsoft offered and the judge's comments on it, I do believe that while Microsoft had the right idea, it just went about it the wrong way. Since the proposed breakup of the company probably won't

happen, this might be the best answer. However, ANY solution must cripple Microsoft's ability to dominate the computer industry and place restraints on it's ability to wield what influence it has.

I do agree that the public school-oriented part Microsoft's settlement was underfunded and that the potential for mismanagement would be great. This is why the amount should be increased and the management should be taken over by a third party. The most interesting part of the public school-oriented section is the donation of several PC's (with Windows software, of course) to the schools. While alternatives, such as Apple computers, were offered, the support and software were lacking, to say the least. This would actually increase Microsoft's domination of the computer market and allow them a huge chunk of the prized education market that Apple Computers still dominates.

My solution to this is that while Microsoft continues with the "donation" to the education field, the amount should be increased and the management turned over to a third party. The other part of the solution is that the fund will be used to buy Apple computer equipment and software. This should include iMacs & PowerMac desktop computers, iBook and Powerbook notebooks and Apple's AirPort wireless network system.

Since the education market uses Apple computers heavily, this will be no great conversion to them. And since the Macintosh operating system supports using Windows disks, files, and networks, it can be intergrated with schools already using some Windows machines and student with Windows computers at home can still take homework files home and use them. The only allowance for Microsoft will be to offer the Macintosh version of Microsoft Office, which will make it easier for students to take files home to use. Otherwise, there is an incredible amount of education software for the Macintosh system, so there should be no lack of software offered through the settlement. Tech support can be handled by Apple's already well-established education division. Oh, yes, and the prices for this hardware and software should be calculated at the education sales price, not the retail sales price.

Thank you for the opportunity to voice my opinion.

Sincerely,
Roger Morse
"When I became a man, I put away childish things, including the fear of childishness and the desire to be very grown up."—C. S. Lewis

MTC-00013988

From: NKM
To: Microsoft ATR
Date: 1/19/02 9:54am
Subject: Microsoft Settlement

Dear Madam or Sir: From a consumer point of view. Microsoft has provided both positive and not so positive influence in the software industry. Microsoft has made software easy to use for non-technical people and eliminated chaos of uncontrolled software anarchy. On the not so positive side, from the

consumer point of view, the pricing of Microsoft product is not as low as what I would like and it is generally accepted that Microsoft product, between ease of use and technical advancement, is more towards the ease of use side.

What I would like for the whole software industry is:

1. Do not force the consumer to pay a regular annual fee, either through "subscription" pricing modeling, or through "engineered obsolescence".
2. Allow consumer to control the behavior of software on their machines.
3. Licensed software should respect the Rights of Privacy, same as an employee should respect an employer's Rights of Privacy.

Very Sincerely,
Norman K. Ma
6428 Dunmoor Drive
Plano, TX 75093

MTC-00013989

From: LCismowski@aol.com@inetgw
To: Microsoft ATR
Date: 1/19/02 10:06am
Subject: Microsoft Settlement

To Whom It May Concern; In my opinion, it would be in the best interest if all States were required to accept the DoJ's settlement plans for the Microsoft case. It would be in the best interest of the economy for all States of the United States. Thank you for you time and consideration in this matter. Let's get this behind us and get the United States on the path to recovery.

Lonnie J Cismowski

MTC-00013990

From: Lynne LaMaster
To: Microsoft ATR
Date: 1/19/02 10:19am
Subject: Microsoft Settlement

I just wanted to comment that I see no way in which this settlement addresses the concerns in the original suit, and it does nothing to alleviate the damages caused by the anti-competitive nature of the Microsoft business practices. Please rework this settlement to benefit a company other than Microsoft.

Lynne LaMaster, ASE, APP
ACE: Photoshop, GoLive

MTC-00013991

From: RenaudsPrincess@aol.com@inetgw
To: Microsoft ATR
Date: 1/19/02 10:35am
Subject: United States v. Microsoft

As a citizen, I would like to make my comments about this case. I have been in the computer field for over 7 years.

First, the largest portion of the "penalty" is in licensing costs. How much is Microsoft really losing by "donating" these licenses? It's already been stated that these are underprivileged schools which probably couldn't afford to buy computers and software on their own. Microsoft is simply getting increased market penetration with minimal loss of revenue. I think I read that support contracts for these schools would be negotiated and given a discounted rate, (i.e. not free). Anything they would lose in licensing they're going to make up in new support contracts.

Secondly, it's a well established marketing strategy to give software to schools so the students learn the applications, then take that into the marketplace when they look for a job. For example, Adobe has used this for a great advantage. Ignoring the fact that PhotoShop and Illustrator are supremely awesome applications, they give the software away to universities so the majority of graduates know these packages. This encourages companies recruiting graphic artists to use these applications because there's no learning curve for new hires. The CEO of RedHat made a public offer to donate the Operating Systems (OS) for these machines *with support* and Microsoft could donate just the hardware. This would mean more schools would get computers and Microsoft would not be furthering their own interests. Please consider this CEO's offer and put another OS on these systems (ie. not Microsoft)!

Finally, the debate on whether or not they have a monopoly is closed, the courts already ruled that they do! Not only do they have the monopoly, but they've abused it and that's why we are discussing their punishment. I hope you will consider a stronger punishment for Microsoft!!

MTC-00013992

From: Joseph T. Kwasniak
To: Microsoft ATR
Date: 1/19/02 10:39am
Subject: Microsoft settlement

The people in the DOJ are just plain stupid. I am sick of the DOJ spending taxpayer money on this litigation. It's time now to focus on something important, like freezing the personal bank accounts of Enron CEO's who sold billions of dollars of Enron stock when the employees were helpless in their situation. Let the DOJ get some of the employees money back or don't regular people count?

MTC-00013993

From: Craig S. Kauffman
To: Microsoft ATR
Date: 1/19/02 10:51am
Subject: Microsoft Settlement

Dear Sir—As a long time Netscape user I have always found Microsoft Window program easy to install Netscape and use Netscape's internet program. This automatically places AOL on my desk top which I have never wanted but it causes no harm. I do not see where Microsoft has been doing anything different than is being done by other businesses, and is the recognized norm for our capitalistic business society. Let us not persecute businesses because they are good. I believe we should give Microsoft honors for greatly improving our life and at a very small cost to the users.

Yours truly, Craig S. Kauffman

MTC-00013994

From: Alan Hagerman
To: Microsoft ATR
Date: 1/19/02 11:14am
Subject: Microsoft Settlement

Dear Justice Department. . . . I am writing in support of the Microsoft settlement. This trial has gone on too long, has cost the taxpayers and investors too

much and should be closed out as soon as possible. Thank you for asking our opinions.

Sincerely, Alan Hagerman, 5460 Wells Curtice Road, Canandaigua, NY 14424 585-394-3308

CC:cpnys,Alan L Hagerman,Earl Bixby,Robert Fackler,Bo. . .

MTC-00013995

From: Brian Nelson
To: Microsoft ATR
Date: 1/19/02 11:22am
Subject: Microsoft Settlement
Do not allow them to "donate" PCs and software, at a minimum.

Break Microsoft up. . . it will only make them better.

Case in point: Breakup of AT&T required them to divest themselves of the Unix operating system. Unix has become the unsung hero of Internet server reliability. AT&T long distance phone service is increasingly losing ground to Internet services at a benefit to all of the USA. Break up Microsoft into three units: Productivity software (Office et al), Operating systems, and certification/education; and, force them to create new divisions for "other" categories or divest themselves of "other" categories. The next winners for investors, citizens, and business will come from the "other" categories.

Brian Nelson
Systems Administrator
Dept of Computer Science
University of *****

MTC-00013996

From: Ken Ward
To: Microsoft ATR
Date: 1/19/02 11:49am
Subject: Microsoft Settlement

I would be glad to give you my opinion of the proposed settlement with Microsoft.

It is, by definition insane. Someone has said that repeatedly doing the same thing over and over and expecting a different result is insanity. Let us not forget that Microsoft is in court for violating their last consent decree. Do you really expect them to abide by this one. The only reason they have agreed to this decree is that it is vague and flexible enough to allow them to do what they want while the lawyers argue about the details until reversing their actions would be harmful to the country.

If you think that the public (at least the computer literate ones) don't see this for exactly what it is, you are more arrogant or more uninformed than I thought.

Ken Ward
Ward Studios
ken@wardstudios.com

"Let us so endeavor so to live that when we come to die, even the undertaker will sorry."

Mark Twain

MTC-00013997

From: JMcD51@aol.com@inetgw
To: Microsoft ATR
Date: 1/19/02 11:57am
Subject: Microsoft Settlement

This is in support of Microsoft's proposed settlement of their long-term antitrust case. I heard my Attorney General Blumenthal (Connecticut) speak yesterday on this issue

and it appears that he does not wish to compromise and settle this. I believe it is time to settle; for the good of the country, Microsoft and its competitors, and for senior citizens such as myself (72) who are minor shareholders of not only Microsoft, but also Oracle, Sun, and other tech stocks that have tumbled drastically in price. The courts have had to make the compromises so far in this case and have reduced the adversaries to a few states who, under the guise of high principle, seem to refuse to give an inch for what I think are very selfish interests. It's high time to stop this now, with the limitations already in place to curtail Microsoft's questionable actions while still keeping open the legal marketing initiatives that Microsoft and its competitors may want to use. John McDonald, 34 Baywater Dr., Darien, CT 06820

MTC-00013998

From: David M Lazor Sr
To: Microsoft ATR
Date: 1/19/02 12:07pm
Subject: Comments on U.S. vs. Microsoft! It's time to resolve and put this to an end!

1/19/2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax 202-616-9937
microsoft.atr@usdoj.gov

I believe that Microsoft, since its inception has consistently provided the consumer with the best value, best innovation, and best productivity compared with the competition. This holds true not only for the American economy but also the world economy.

Historical facts prove this point. When Microsoft created their first operating system PC DOS/IBM DOS and brought it to market in 1981, the cost was about \$60; the two competitors Digital Research (CPM) and USC-P cost to consumers was about \$120 and \$400, respectively. There was some question about their ability to be "Fast-to-market" also.

The word processing application available for the IBM PC was WordStar. Shortly after, Microsoft came out with MS-Word 1.0; they included a copy free in a PC Magazine issue for trial. This impressed me as a consumer as innovative marketing. Besides the early product from a user standpoint was far superior to any existing competitive product from ease of use to improved productivity. This superior innovation from Microsoft and its partners in a highly competitive environment has continued over the last 20 years.

I believe Microsoft has not behaved in an anti-competitive way; but, rather in a highly competitive, innovative way to provide consumers and businesses a highly reliable and productive way to operate second to none.

They and partners (Intel, IBM, HP, Compaq, others) seized a new and "disruptive technology", "The Christianson Effect" (Harvard), and continuously improved their products and services over time resulting in creating an industry, or at least

a major segment. Those partners and competitors who couldn't keep up with the velocity of providing the marketplace with superior innovation and productivity lost their positions at least in the short-run. The name of the game is sustained, high velocity innovation and productivity, and Microsoft, Intel, and many others have delivered over the last 20+ years. This force has been a major component in growing our economy over the last 20+ years.

Regarding, the case of the 9 States settlement with Microsoft, I believe this is fair and needs to be settled. This entire fiasco over the last several years has cost the taxpayers far too much. It's time to settle and put those who think litigation is the American way in their place. Litigation only helps the lawyers and parasites who want to get a free ride. Prolonged litigation doesn't help the American economy or taxpayer.

It's time to resolve and put this to an end.

David M Lazor Sr

MTC-00013999

From: Jon Grizzle
To: Microsoft ATR

Date: 1/19/02 12:04pm

Subject: Fw: A FINFLASH FROM THE FREEDOM TO INNOVATE NETWORK A FINFlash Alert: January 28 Deadline for comments to DoJ Included in this e-mail is an e-mail received and will not add to Block Sender list when I ask. More of these mail type have been sent lately.

Why does Microsoft allow some users of e-mail to send unwanted mail that Microsoft's Outlook Express will not add to the Block Sender utility? Has Microsoft sold out some of their software security and compromises e-mail secure?

Since I'm using all Microsoft software components I can say there are wholes and hooks been designed and sold to invade on user privacy.

Regards,
Unhappy user of E-mail
Jon Grizzle

From: MSFIN@Microsoft.com

To: jgrizzle@gte.net Sent: Tuesday, January 15, 2002 12:03 PM

Subject: A FINFLASH FROM THE FREEDOM TO INNOVATE NETWORK A FINFlash Update: Settlement News—Public can Comment in Antitrust Matter; Class-Actions Suit Returns to Litigation

Deadline Nears for Public Comment on Antitrust Settlement

The Tunney Act review period, during which the Department of Justice seeks public comment on its proposed antitrust settlement with 9 states and Microsoft, closes Monday, January 28. The settlement is not guaranteed until after the review ends and the District Court determines whether the settlement is indeed in the public interest.

The provisions of the agreement are tough, reasonable, fair to all parties involved, and go beyond the findings of Court of Appeals ruling. Still, while consumers overwhelmingly agree that settlement is good for them and the American economy, and overwhelmingly want to move beyond this litigation, nine states have refused to join the settlement. Some, including Utah Attorney General Mark Shurtleff and Massachusetts

Attorney General Tom Reilly, are urging citizens via email or Web site to submit their comments to the DoJ during the Tunney review period.

While Microsoft commends these public officials for involving citizens in a decision that will affect them so profoundly, your voice is more important now than ever before to ensure that the DoJ hears the full spectrum of opinion on this matter. Concerned citizens already have begun submitting their comments about whether the Microsoft case should be settled or further litigated.

The Department of Justice will take all public comments and viewpoints and include them in a report for the District Court to consider. Please send your comments directly to the Department of Justice via email or fax no later than January 28th.

Whatever your view of the settlement, it is critical that the government hears directly from consumers.

Please take action today to ensure your voice is heard.

Email: mailto:microsoft.atr@usdoj.gov. In the Subject line of the e-mail, type Microsoft Settlement.

Fax: 1-202-307-1454 or 1-202-616-9937

To find out more about the settlement and the Tunney Act review period, go to the Department of Justice Website at: <http://www.usdoj.gov/atr/cases/ms-settle.htm>.

Thanks for taking the time to make a difference.

Class-action Lawsuit Returns to Litigation Friday, January 11, U.S. District Judge J. Fredrick Motz rejected a settlement that would have resolved more than 100 private class-action lawsuits filed against Microsoft in the wake of the 1999 decision issued by Judge Thomas Penfield Jackson during the trial court phase of the federal antitrust lawsuit.

Under the proposal's terms, Microsoft would have given disadvantaged public schools more than \$1 billion in funding, software, services and training, and around 1 million Windows licenses for renovated PCs.

Microsoft, who sought input from educators on specific terms of the agreement, will review the court's opinion and at the same time move forward with the next steps in the litigation while we continue to look for reasonable ways to resolve the matter.

MTC-00014000

From: Brian Walsh

To: Microsoft ATR

Date: 1/19/02 12:05pm

Subject: Microsoft Settlement

To whom it may concern:

I believe that the only possible settlement that will restore innovation and competition to the market is a breakup of Microsoft into two completely independent companies with identical product lines and equal access to all of Microsoft's current patents, copyrights and other intellectual property. The first should be run by the current management and the second should be sold on the market at the current share price only to people and companies who do not have any current stake in Microsoft. No company in which Microsoft has a controlling interest should be allowed to invest in the new company. Joint shareholding should be absolutely

prohibited. Your attention to this proposal would be greatly appreciated. Sincerely yours, Brian Walsh

MTC-00014001

From: Richard Royce

To: Microsoft ATR

Date: 1/19/02 12:13pm

Subject: Microsoft Settlement

I'm writing to give my strong support to your settlement reached with the Microsoft Corporation. It is tough but fair, and there are far more important and relevant anti-trust and related issues to focus on.

Sincerely,

Richard Royce
1 Greenbriar Drive
Summit, NJ 07901

MTC-00014002

From: Charles Collins

To: Microsoft ATR

Date: 1/19/02 12:14pm

Subject: microsoft settelment

IT IS MY BELIEF, AS A CONSUMER, THAT MICROSOFT MUST BE BROKEN INTO SEVERAL DIVISIONS. THEIR SIZE HAS LED THEM TO BELIEVE THAT THEY ARE ABOVE THE THE LAW AND EVEN MORE FRIGHTNING THEY ARE RUTHLESS IN STOPPING COMPETETION.

IN RECENT ACTIONS MICRESOFT HAS BEEN TRYING TO CRUSH AN UPSTART COMPANY, LINDOWS, THAT HAS DEVELOPED AN OPERATING SYSTEM THAT WILL RUN MOST PROGRAMS THAT HAD TO BE RUN ON MICROSOFTS WINDOWS ENVIORMENT. THEY ARE NOW IN COURT TRYING TO STOP THE RELEASE BY SAYING IT LOOKS TOO MUCH LIKE XP. THEY HAVE ALSO HAD THE COURTS GIVE THEM ALL E-MAILS OF PEOPLE THAT HAVE CONTACTED LINDOWS. IS THIS MENT TO INTIMIDATE CONSUMERS?????? CHARLES B. COLLINS ccollins@wwlmail.com

MTC-00014003

From: Tom Sandholm

To: Microsoft ATR

Date: 1/19/02 12:21pm

Subject: Microsoft Settlement

Dear Sir(s),

I am glad to see that Massachusetts abstained from signing the proposed Microsoft settlement. The original proposal falls far short of providing protection for consumers as well as promoting open and fair competition with computer vendors.

The new proposal will, hopefully, enable fair and open competition for other software vendors, as well as provide the necessary knowledge to software developers and computer programming students at our educational institutions, without imposing heavy licensing fee's for missing, shoddy and often incorrect documentation that Microsoft has sold at outrageous fee's in the past. The requirement of Microsoft to document their products programming interfaces should be placed in public access. I want to point out that most major computer vendors, for example IBM and Sun Microsystems, currently provide programming information for their operating systems, often bundled into the core product, at no additional charge. This practice has enabled other

vendors to make their products available across platforms, and not just lock the product into one platform, so typical with Microsoft applications. Microsoft has intentionally radically changed programming interfaces between product releases, and severely restricted access to programming information to such a degree as to make it cost prohibitive or virtually impossible for 3rd party software developers to make their products available across both Unix and Microsoft platforms.

In consideration of Microsoft's extremely poor implementation of security in their products, I would suggest an additional remedy of requiring a level of computer security exists in all future Microsoft products. I site the numerous security alerts that have been issued from CERT in regards to Microsoft IIS, as well as the office products. The recent release of Microsoft XP has also fallen to severe security holes, thereby leaving consumers quite vulnerable to hackers and identity theft. The security level enforcement could be monitored by an organization such as CERT (Computer Emergency Response Team, <http://www.cert.org>). CERT would require full unlimited access to all of the source code for Microsoft products. This would ensure consumer protection.

In regard to the remedy of Microsoft applications working on other software platforms, I would encourage you to explicitly list the platforms, and not exclude Linux in the list.

Thank you for your time.

Sincerely

Thomas F. Sandholm
453 Derry Road
Chester, NH. 03036

MTC-00014004

From: Mike Ruebush
To: Microsoft ATR
Date: 1/19/02 12:32pm
Subject: Re: U.S. v. Microsoft: Settlement Information

Thank you for this opportunity to share my thoughts on this topic. I think that this should be considered just a start. Microsoft controls far too much of the computer industry. It forces potential competitors to spend very large amounts of money and resources to follow along in its path, instead of developing new ideas and concepts. The first thing a competitor must ask when developing a new idea is not if this idea will help its potential customers, but if will be compatible in the Microsoft-dominated industry.

Please think of the entire computer industry's health when considering any action regarding Microsoft.

Thank you

MTC-00014005

From: KENNETH SMITH
To: Microsoft ATR
Date: 1/19/02 12:33pm
Subject: Stop the Microsoft suit
Here is my vote to stop the Clinton era lawsuit against Microsoft.

MTC-00014006

From: MARGOFCPA@aol.com@inetgw
To: Microsoft ATR

Date: 1/19/02 12:42pm
Subject: Microsoft Settlement
Gentlemen:

This letter is in response to the request for public comment regarding the upcoming settlement of the Microsoft Litigation.

As a practicing certified public accountant, I am struck by the uneven treatment that Microsoft seems to be receiving.

As an instructor of Economics I have always used Microsoft as a shining example of Adam Smith's theory of the "Invisible Hand" ie. "entrepreneurs who, while acting in their own self-interest, create wealth for themselves, and in doing so benefit society as well".

I was struck by the behavior of the tax-paid legislators, who create no jobs, do nothing to increase the generation of tax revenues, and yet try to sit in judgement of the behavior of company who's only crime, seems to have been that they were too good at what it is they do! HOW IRONIC!!!!!!!!!!!!!!!!!!!!!! Public servants who live off the largesse of hardworking, tax-paying citizens are getting caught up in this whole notion that if the competition is too keen, then there must be something wrong with the manner in which they operate. It couldn't possibly be, that they possess such a unique understanding of the technology that is the lifeblood of their organization, or possess such a focused understanding of how they envision future technology impacting our lives, that the so-called competition can't measure up.

Yet as I watched the hearings and listened to the testimony of the various CEO's, I was saddened to see how very antagonistic the questioning of Bill Gates was. Orrin Hatch and his cohorts did themselves no favors, because in my eyes, it was an absolute travesty of justice to see them treating Mr. Gates as if he were some public enemy to be dealt with!!!!

While I do believe that no one should be above the law, I am reminded of the anti-trust action that was waged against IBM. It turned out to be nothing more than a real waste of taxpayers' dollars.

Had there been a judge, who was truly objective hearing the case to begin with, perhaps the findings would be viewed as credible, but since Thomas Penfield Jackson made it no secret, that he was sure that Microsoft surely did something dreadfully wrong and it was up to HIM to see that they were stopped no matter the cost to the consumer, I view the decision as flawed, and anything after it the same. As to the appeals court, while yes they did indeed come to the same conclusion, am I correct in understanding that no new information or evidence can be introduced at this time? If yes, it too is flawed, because you had an original trial record that reflects the actions and decisions of a biased judge.

Finally, I am troubled by the lack of evidence that the consumer was somehow harmed????????????? No one has yet to prove that the lack of choice of operating systems is somehow bad! You have had Linux touted as both free, and more stable! Well it turns out that its not more stable and now the many companies who moved to its use are finding that the costs associated with system failures are greater and will probably change operating systems.

If you follow this to its logical conclusion the benefits of a Microsoft with a superior product, used as a standard for an industry if of far more benefit to the consumer.

The benefits are enormous to the industry as a whole, because software developers would rather support a product that commands a larger percentage of the total industry than a lot of competing products. In an economic sense this does indeed represent an efficient use of scarce resources. Apple computers made a very poor decision years ago, when it decided that its OS would not be compatible with any other. That decision would come back to haunt them for years. Why should I and many other taxpayers be forced to pay for their lack of understanding of the industry and its extremely competitive nature?

I read recently that Sun Microsystems will not make its software compatible with Intel based systems because they can sell servers for \$20,000. Yet if their computer language is compatible with an Intel based computer the result is the same equivalent system for \$4,000. Are you going to go after them too?

So you see the list of grievances can go on and on.

I do believe that to force Microsoft to make their code available to competitors is nothing short of government sponsored theft. The nature of the technology industry is changing so fast that probably the product that caused this ill- conceived undertaking by the Department of Justice is now obsolete.

As a taxpayer, I am disappointed that you are allowing all of these states to clamor for a piece of Microsoft as if they have all been harmed by them. Again, where is the proof of injury?

Microsoft's not a chorus of choirboys and Bill Gates is no angel, but neither is Scott McNealy(Sun Microsystems), Larry Ellison(Oracle), John Chambers(Cisco) Craig Barrett(Intel)and yada yada yada.

I would think that this current crisis of investor confidence created by the likes of Arthur Andersen and Enron reemphasize the real job of the DOJ.

Thank you for taking the time to read this and I really hope you rethink this whole issue of what is the proper remedy.

CC:MSFIN@microsoft.com@inetgw

MTC-00014007

From: Yolanda R Hague
To: Microsoft ATR
Date: 1/19/02 1:18pm

Without taking up time and space to state the many paradigms that are common knowledge and support my request. I believe the interests of this country, its voters and taxpayers, are better served if the actions against Microsoft are terminated now.

I am requesting that you give this your consideration I immediately.

Yolanda R. Hague

MTC-00014008

From: vze26rs7@verizon.net@inetgw
To: Microsoft ATR
Date: 1/19/02 1:28pm
Subject: Microsoft settlement

I am a lifelong resident of Massachusetts and voted for our current Attorney General, However he should reconsider his stand on

the Microsoft Settlement as negotiated by the U. S. Government and accept it for my state.

Michael F. Sypek

MTC-00014009

From: Ted Mruczkowski

To: Microsoft ATR

Date: 1/19/02 1:51pm

Subject: I support DOJ Microsoft settlement
Microsoft, as US based corporation, shall be viewed as international resource. Acting in direction to limit or change capacity of Microsoft's workforce and its constructive influence on constant technology leverage ? might be only in minds of indulgent competitors. Negotiated settlement is in the best interest of mine and hundreds of thousands software developers who are relying on Microsoft well being.

MTC-00014010

From: attilioserafini

To: Microsoft ATR

Date: 1/19/02 1:51pm

Subject: Microsoft Settlement

Settlement of the Microsoft case(s) NOW is in the best interest of the public and especially the people that use computers. It is particularly important to people who use computers to conduct business. I run a small business and I believe that Microsoft will develop new and improved products at a faster rate when they are free of the distractions of these legal matters.

Just a thought: What if the government had spent as much time, effort, and tax payers' money dealing with ENRON in the public's interest, instead of going after the Microsoft Corporation? How many people would be better off today?

Just a tax paying American who cares about what is right.

MTC-00014011

From: Kenneth Smith

To: Microsoft Settlement

Date: 1/19/02 12:41pm

Subject: Microsoft Settlement

Kenneth Smith

325 Kesselring Ave.

Dover, De 19904

January 19, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry.

It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of

stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

Rev. Kenneth B. Smith

MTC-00014012

From: C. D. Shepard

To: Microsoft Settlement

Date: 1/19/02 12:41pm

Subject: Microsoft Settlement

C.D. Shepard

Box 459

Castle Rock, CO 80104-0459

January 19, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

C.D. Shepard

MTC-00014013

From: Helen G Brown

To: Microsoft Settlement

Date: 1/19/02 12:23pm

Subject: Microsoft Settlement

Helen G Brown

1600 Priscilla Ct

Forest Hill, MD 21050

January 19, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Helen G. Brown

MTC-00014014

From: Joseph Patterson

To: Microsoft Settlement

Date: 1/19/02 11:43am

Subject: Microsoft Settlement

Joseph Patterson

4546 Elk Head Road

Bland, MO 65014

January 19, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,

Joseph J Patterson

MTC-00014015

From: GEORGE LOSADA
To: Microsoft Settlement
Date: 1/19/02 12:35pm
Subject: Microsoft Settlement
GEORGE LOSADA
2 PATRICIA PL.
MILLTOWN, NJ 08850-2137
January 19, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,

GEORGE D LOSADA

MTC-00014016

From: September West
To: Microsoft Settlement
Date: 1/19/02 11:15am
Subject: Microsoft Settlement
September West
146 Roddau Court
Wright City, MO 63390-3947
January 19, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry.

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Thank you for this opportunity to share my views.

Sincerely,

Jeff & September West

MTC-00014017

From: Stanley W Thomas
To: Microsoft Settlement
Date: 1/19/02 12:41pm
Subject: Microsoft Settlement
Stanley W Thomas
203 Hickory Way
McCormick, SC 29835-2728
January 19, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry.

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Thank you for this opportunity to share my views.

Sincerely,

Stanley W & Nancy G Thomas

MTC-00014018

From: dzrlib@library.caltech.edu@inetgw
To: Microsoft ATR
Date: 1/19/02 2:04pm
Subject: Microsoft settlement

I feel that the November 2001 proposed settlement of the Microsoft anti-trust case is neither fair nor reasonable. It does not seem to do anything to prevent a continuation of their illegal activities. Given the dominance of the Microsoft operating systems, it seems only logical to split the company as previously proposed.

Dana L. Roth
2023 Rose Villa St.
Pasadena, CA 91107

MTC-00014019

From: Julian Kovalsky
To: Microsoft ATR
Date: 1/19/02 2:08pm
Subject: Microsoft Settlement
I feel that there should be a strict judgment against Microsoft.

If it does not happen it just shows that if you have enough money to spend you can even buy the Government. I don't want to live in a Microsoft dominated world.

I want there to be equality and fairness.

Please give a harsh penalty for what they were already accused to have done.

They are a monopoly.

Julian Kovalsky
940 N Sierra Bonita
Los Angeles CA 90046

MTC-00014020

From: Bill Wright
To: Microsoft ATR
Date: 1/19/02 2:26pm
Subject: Microsoft Settlement

It is strongly recommended that language be inserted relieving America Online of any further obligation to use Microsoft originated software, support files, or code in their internet client software.

Bill Wright

PO Box 373

Balboa Island, CA 92662

MTC-00014021

From: Warren Ponemon
To: Microsoft ATR
Date: 1/19/02 2:34pm
Subject: Microsoft Settlement
Warren E. Ponemon
cimcor@msn.com
CIMCOR
ADVANCED TECHNOLOGY SYSTEM, LLC
January 27, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I think that Microsoft is being far too generous in the recent antitrust case settlement. Microsoft in my opinion never made any antitrust violations. There positive contributions to our nation's economy have far outweighed any negative results of their actions. I am a proponent of free enterprise that thinks government should not interfere with the free market.

Fortunately, the terms of the settlement do not break up Microsoft. They do however give away much of their technological secrets to competitors, such as internal interfaces and protocols.

Microsoft has also agreed to not retaliate against software developers or computer makers that develop or promote software that competes with Microsoft products.

Even though I think the settlement is flawed and unjustified, I also believe the settlement is in the best interests of the American public because our nation cannot afford more litigation. We need our industry leaders innovating and growing to create jobs and more technological breakthroughs.

Please take a firm stance against the opposition and make sure this settlement becomes a reality.

Sincerely,
Warren E. Ponemon

MTC-00014022

From: Johanna Seth
To: Microsoft ATR
Date: 1/19/02 2:35pm
Subject: microsoft settlement
Johanna Seth
14860 Summerlin Woods Dr. #16
Fort Myers, Florida 33919
January 19, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I want to use a moment of my time to convey my support for the settlement reached between Microsoft and the Department of Justice last year. I definitely believe this agreement is in the public interest and no further action is needed at the federal level.

A brief review of the terms shows that Microsoft has agreed to many concessions that will require significant changes. One example regarding intellectual property rights illustrates this point. Microsoft has agreed that if a third party's exercise of any options provided for by the settlement would infringe any Microsoft intellectual property right, Microsoft will provide the third party with a license to the necessary intellectual property on reasonable and non-discriminatory terms. And to assure compliance with this and other provisions, a technical committee will monitor Microsoft.

Finally, this settlement will allow the federal government to focus on more urgent matters than continuing this unneeded litigation. This includes helping to stimulate the economy and health care issues.

Sincerely,
Johanna Seth
CC:fin@mobilizationoffice.com@inetgw

MTC-00014023

From: David Salinas
To: Microsoft ATR
Date: 1/19/02 2:39pm
Subject: Microsoft Settlement

Dear DOJ,

I think the DOJ's settlement was a debacle. It was clearly big money (the economy, or lack thereof) at work that influenced John Ashcroft's (Attorney General) decision to work out a deal with Microsoft.

It seems as though Ashcroft's main interests was to close the case rather than offer a solution that was best for consumers.

Here's my analogy. If a husband and wife are having marital problems. You just don't make a deal to stop fighting just for the sake of stopping the fighting. That's just putting off the problem.

What you do is find out what's the cause of the conflict and then remedy that problem.

Ashcroft wanted to save tax payer money by passing on the case to the States. He caved. He did not do his job. Sometimes I think that he took a poll to find out if the DOJ vs Microsoft case was high on the priority list

of the American people. Well, if you take polls, you get inaccurate results. Also, as you might know, popularity votes are not the best way to come to a decision. If that's the case, then Elvis would have been the president in the 60's. That's why we have the electoral college vote. The founding fathers knew that the majority of the people were too ignorant to make important decisions about our country.

And this leads me to my point about Microsoft. Most people in the world, much less the US, know little about the unethical business practices of Microsoft. All they care about is surfing the web, or sending email. This is why the majority of the US populace show indifference toward the case. They just don't get it! Most people are NOT technologists, engineers, or IT professionals. I mean, ask the common Joe how to connect to the internet, he'll have to hire/ask a profession to show him how to do it. If a common consumer doesn't understand the technology he uses at home/work, then how do you expect them to understand the complexities of the Microsoft case?

Licensing, XLM, HTML, .Net, Passport, GNU, GLP, cookies, security certificates, digital signatures, C#, Java, WMA, etc. are all technical jargon that can be spoken during the technical case. Do you honestly think that the majority of people know what these terms mean? If they don't, then how can they make a educated decision about a complex technical monopoly case?

So, John Ashcroft basically made the decision to end the case for the DOJ because the American people really didn't understand it, or care about it (in the light of the 9/11 attacks, and the dot-com downturn).

But, the Microsoft case has far reaching consequences if the necessary steps aren't taken to prevent Microsoft from abusing it's monopoly power in the future.

I feel that the States proposal on what to do about Microsoft is a good proposal.

Although some do not feel that it goes far enough (less a breakup). I believe that it cuts out all the potential loopholes that plague the current DOJ settlement (swiss cheese settlement).

Microsoft should be under the spotlight for the next 10-15 years (or however long it takes).

Every move they make, every deal they make are moves that they use to extend their power. And the scrutiny they will receive is justified.

Microsoft has the power now. So, its the watchdogs of the tech world that will keep an eye on everything Microsoft does. Because the company with the power can abuse that power. And they have, in the past, in the present, and will continue to do so in the future unless they are watched and their behavior is curtailed.

I end this letter with a question. . . .

What's worse than a Government Big Brother?

A Corporate Big Brother!

MTC-00014024

From: Brendan Irvine-Broque
To: Microsoft ATR
Date: 1/19/02 2:40pm

Subject: Microsoft Settlement

I think that Microsoft needs to be penalized in a way that lets them continue production of all products other than their Windows operating system. The Windows operating system should be given a very large setback, such as limiting the amount of computers which it is shipped with each year, but products such as Microsoft Office should be left untouched. I have been a mac person for many years, and while I thoroughly detest the Windows operating system and the scams that have come with it, i greatly appreciate the benefits that Microsoft Office has given to the entire personal computing industry.

At this point, almost everyone uses Microsoft Office, and it would be devastating if as a result of this antitrust suit, Microsoft would be forced to put less effort into the creation of newer versions of Office.

Now, at the same time, this does not mean that I do not want Microsoft to be punished, because I think that it should be punished greatly for how it has not only hurt competing companies, but for how it has revoked the choice of operating system from the consumer. People can talk all day about the many alteritives to Windows, but the fact is that for the vast majority of users, there is no choice.

Linux, the UNIX based Windows alternative, has never been put into a standard version so that the average consumer can use it without spending hours of frustration trying to make it work. The Macintosh Operating System, especially with the amazing new Mac OS X, is thought of as a better operating system than Windows by critics and consumers, including PC users. But because of the Windows monopoly, it is still making a recovery to regain thousands of applications that it lost. I myself am an avid mac person, but just months ago I was forced to buy a new PC instead of a Macintosh because the server that I needed to access was running Microsoft software which my computer was not compatible with. It is sneaky tactics like this that have given Microsoft this monopoly.

As for a solution for this problem, I am not sure what that might be, but what it should do is give other companies and other operating systems a chance to be equal with Windows instead of struggling to stay afloat.

Thank you for listening,
Brendan Irvine-Broque

MTC-00014025

From: Dond1070@aol.com@inetgw
To: Microsoft ATR
Date: 1/19/02 2:43pm
Subject: Microsoft Settlement
CC: fin@mobilizationoffice.com@inetgw
1070 Riverside Drive
Battle Creek, Michigan 49015
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

This letter is to express my support for the recent settlement arrived at between Microsoft and the DOJ. I am presently retired from the workforce however my nephew presently works as a manager with Microsoft.

My interest in the success of the company is therefore very personal. It is my sincerest desire that the remaining States, who are not in agreement with the settlement, will help put this issue to rest as soon as possible so that Microsoft my get back on track and continue to provide excellent service.

I am very satisfied with the efforts that Microsoft has made thus far to satisfy the terms of the settlement with the DOJ. Microsoft has even established an interim release of Windows XP, to provide a mechanism to make it easier to promote no-Microsoft software within Windows. I am confident that anti-trust issues will not present itself in the future.

I appreciate your willingness to hear to the voice of the people by way of the Microsoft Tunney Act. I trust that my input will be considered favorably for Microsoft.

Sincerely,
Don Degroot

MTC-00014026

From: Mike Baker
To: Microsoft ATR
Date: 1/19/02 2:48pm
Subject: Microsoft

I think Microsoft is only trying to get a stronger foothold in the education market and is using this judgment to fool the public into thinking it is really being punished.

Mike Baker

MTC-00014027

From: HJDennis@aol.com@inetgw
To: Microsoft ATR
Date: 1/19/02 2:49pm
Subject: (no subject)

When are you guys going to lay off the only company in the US that has brought so much the America? Please stop wasting my tax dollars and get back to work fighting terrorist suspects. Make America SAFE again. Put the bad guys behind bars not penalize a company the employees thousands and pays millions in taxes.

Thanks,
Hal Dennis
hjdennis@aol.com

MTC-00014028

From: Bruce Reed
To: Microsoft ATR,mpowell@fcc.gov@inetgw, kabernat@fcc. . . .
Date: 1/19/02 3:00pm
Subject: MSN Broadband and QWest partnership problems

I have been a QWest DSL/ISP customer for a couple of years. In December QWest sent notification that all customers must migrate to MSN Broadband with a deadline in January 2002.

No choices were offered for other ISPs. No mention was even made that you could have QWest DSL with a 3rd party ISP.

I selected the MSN migration. Surprisingly (sarcasm), the migration process was automatic—no human intervention required, no delay in the changeover. But I experienced a few issues with the new service, none of which are explained.

1—All outgoing email MUST go thru the MSN SMTP email server. Connection to any other SMTP server is blocked. This was not disclosed.

2—SMTP access for outgoing mail is strictly by secured password authentication. This was not disclosed.

3—The only email product I am aware of that has secured password authentication is. . . you guessed it—MS Outlook/Outlook Express. By the way, it should be obvious—this was not disclosed. I'm sure I never saw anything with the MSN migration information that said you must use Outlook.

These are just the technical issues. Even more important are the processes.

1—Once migrated to MSN Broadband, MSN owns the entire account, including the DSL physical connection. This was not disclosed.

2—Once migrated to MSN Broadband, you cannot change ISPs. You must completely cancel the MSN Broadband. This was not disclosed.

3—When you cancel the MSN Broadband, you cannot immediately order different DSL service. This was not disclosed. This would seem to be beyond anti-competitive practices, and into if not illegal, definitely improper practices.

4—Once the MSN Broadband is physically disconnected and DSL service is no longer active, YOU STILL CANNOT ORDER NEW SERVICE. You must wait until MSN finishes its paperwork, and no longer owns your account. This was not disclosed. Is there any doubt now that we are at the level of illegal practices?

5—One MSN paperwork is completed, and MSN no longer owns your account, you must order new DSL service, and must wait approximately 10 business days for DSL service. This was not disclosed. Although this may be reasonable for new service, it is not reasonable for an ISP change.

In summary, to change away from MSN Broadband to a different ISP, you must

1—cancel service (1/2/02)
2—wait for disconnect—about 1 week (1/9/02)

3—wait for paperwork—about 1 week (was told maximum of 10 bus. days from cancellation)

4—order new service (was told on 1/9/02 that once I could order, it would probably be about the end of January to get service up)

5—wait 2 weeks

In other words once you make the decision to change, you are stuck with MSN for one more week, then have three weeks or more without service. Not only is all this anti-competitive, but they never told me ANY of this up front.

I would like to make a personal thank-you to Rick Gray at the QWest DSL Manager Escalation center for his assistance in getting my "new" order placed within a reasonable time in spite of the policies, and in escalating the actual installation.

Microsoft's steps and objectives are plainly obvious. One must question QWest's new practice of turning complete ownership of DSL service over to MSN. One must also blame QWest for not providing some of these details with the migration information.

MTC-00014029

From: Mikael J.
To: Microsoft ATR
Date: 1/19/02 3:03pm

Subject: Microsoft Settlement

I am part of a worldwide network that is working on getting the BeOS or equivalent back into the market place, but there is no hope of success if the following issues aren't addressed:

1) MS Office needs to be opened, so that developers interested in porting it or understanding the document formats can do so either in form of a source code licence or an allowance to see it, check it and "clone libraries", so that applications on non-Windows OSs can read and write MS Office formats for flawless interaction with Windows users.

2) The Win32 API needs to be available so that BeWine can be successfully ported not only to BeOS but other OS too.

3) The file system needs to be opened, so that BeOS users can continue to access files on non-BFS partitions.

4) The ruling must include a "must-carry" rule, so that any OEM Microsoft is supplying Windows with HAS to "dual-boot" an alternative operating system, in this case BeOS, in order to remedy the damage MS has done to BeOS in the past.

I'm develop for BeOS in my spare time, and had actual plans to work at Be once I finished college. Unfortunately, this won't be possible, due to a lot of reasons, some of them stated above—basically Be's death was due to Microsoft's bussines practices.

I sincerely hope there's light at the end of the tunnel—I've been living with BeOS as my main operating system for three years, and couldn't possibly picture myself running another operating system.

Regards
Mikael Jansson,
Sweden.

MTC-00014030

From: Sean Major
To: Microsoft ATR
Date: 1/19/02 3:09pm
Subject: Microsoft Settlement
To whom it may concern:

For a punishment for Microsoft's anti-competitive behavior in the computer market place I would like to see Microsoft provide funding to schools which are the poorest of the poor in the United States of America.

This \$1billion minimum amount would go to funding any areas of the school, which each individual school or school board sees fit. That would mean that a school could use the money to buy new textbooks, new musical instruments, stationary supplies, athletic equipment or other requirements.

In terms of using the money for buying new computers or other technology that would also be fine, but Microsoft would not be allowed to insist that schools buy Microsoft products with their allotment. Schools would be allowed to buy computers from any source, even a competitor such as Apple Computer, Inc., which has a strong presence in the educational industry.

Microsoft has the cash reserves to implement the \$1billion minimum and any proposals below this level should be rejected.

Sincerely,
Sean Major
sean_major@hotmail.com

MTC-00014031

From: Mike Pridavka
 To: Microsoft ATR
 Date: 1/19/02 3:21pm
 Subject: Microsoft Settlement

I wish the Department of Justice would find something better to do with their time and money than wasting it on trying to screw up one of the best companies that America has ever had. Microsoft is the model that all companies should strive for. They are the most innovative and forward looking company that I have seen. They have proven that free enterprise, hard work and the entrepreneurial spirit are a live and well and I applaud them for it. I am ashamed that my government has tried to bring this great company down. I would suggest that the government take a look in the mirror and focus on fixing it's self. If this is the governments idea of watching out for me, I would rather they focus on something else. Please find something better to do!

Michael D. Pridavka

MTC-00014032

From: William Potts
 To: Microsoft ATR
 Date: 1/19/02 3:43pm
 Subject: Re: Web page

Good day,

I am rather amazed at our regulatory institution, in there historically infinite wisdom, to conclude that microsoft is a monopoly in the highest order. There were no questions in the break up of AT&T and going back to the rampage of the steel giants at the turn of the century. How can anyone legitimately think that microsoft is not maliciously stifling competition? They have already been proven to manipulate open protocols to there own needs. (tcp/ms for one and corrupted html code, msn/opera) MS has and is filling a need in the consumer market. They do have a reasonably simple product to use. Not as user friendly as Mac, but runs on much cheaper hardware. It is also much simpler than Linux. What is the problem with microsoft being forced to conform to internationally established protocols? And how can anyone at ms actually keep a straight face when speaking of priracy? (simple search on anything ms will suffice)

I know the chances of someone reading this message is slim to none. I also know that if it is read that it's probably irrelevant. Thanks for the opportunity anyway.

Sincerely,

William Potts

MTC-00014035

From: Bob (038) Helen Bamrick
 To: Microsoft ATR
 Date: 1/19/02 4:27pm
 Subject: Microsoft Settlement
 E.R. & H.J. Bamrick
 6131 N 36th Drive
 Phoenix, AZ 85019
 January 19, 2002

Attorney General John Ashcroft
 US Department of Justice
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear General Ashcroft:

It is our opinion that if it weren't for Microsoft and their superb ability and

capability to make the operation of computers and the Internet easy for people like us we would STILL be relegated to getting our "news" from the biased newspapers.

Microsoft is getting taken for a ride in our opinion. U.S. lawmakers and politicians have shown no concern for the public's best interests throughout this case, as reflected by the terms of settlement that showcase stipulations that only benefit competitors. Ironically, now you are asking us for our opinion when it doesn't matter nearly as much.

The terms of the settlement will only serve to give leverage to competitors that had no idea how to be more innovative than Microsoft. For instance, Microsoft now has to grant broad new rights to configure Windows so as to make easier the promotion of non-Microsoft products. Microsoft is also documenting and disclosing, for use by competitors, technology that has been developed in-house.

Since we are users and have no complaints as users we think the settlement is flawed. But, because the alternative is further litigation, we would like to see the settlement occur as soon as possible.

Sincerely,

E.R.(Bob) Bamrick

H.J. Bamrick

CC:fin@mobilizationoffice.com@inetgw

MTC-00014036

From: NARCISSA KIEWERT
 To: Microsoft ATR
 Date: 1/19/02 4:31pm
 Subject: Microspft sttlement

its time to stop impeding the development of Microsoft.Settle in their favor.Youre truly,N.Kiewert

MTC-00014037

From: Chris Young
 To: Microsoft ATR
 Date: 1/19/02 4:34pm
 Subject: microsoft settlement

To whom it may concern,

I am opposed to the Proposed Revised Final Judgment for many reasons, but I shall discuss five points here.

1. Microsoft's power over the OEMs is worded in secret and confidential agreements between the OEM and Microsoft. The Final Judgement does nothing to expose all forms of restraint or potential retaliations hidden in those agreements, only those known today.

There is an attempt to make sure that Microsoft uses terms and conditions that are uniform across the OEMs, however it is well known the OEMs are currently forbidden (because of the confidential agreements imposed upon them by Microsoft as a condition for selling the software) to discuss openly about retaliatory terms and conditions. This stranglehold practice cannot continue.

It must be allowed for OEMs to discuss terms and conditions of these contracts without being "gagged" or retaliated against by Microsoft.

There is nothing in the Final Judgment that would prevent Microsoft from adding future terms and conditions that would be considered by some to be retaliatory in

nature. And if the agreements are considered confidential between on OEM and Microsoft, there is no ability for the OEM to act without breaching the agreement. There is nothing in the Final Judgment to allow the OEM to offer non-Microsoft Operating Systems and any related bootloader programs as the consumer's *first* choice for an operating system in a multi-boot system. It is well known that the existing Microsoft/OEM contracts prevent a non-Microsoft Operating System from being offered as a *first* choice to consumers, only as second or subsequent choices. The Final Judgment wording would continue to allow Microsoft to prevent competition. This wording is an example of what Microsoft has done in the past to get around the previous Anti-Trust judgment.

2. The Final Judgment allows for a vast loophole for Microsoft in Section III J.

For Microsoft to not be required to disclose an API or related information, all Microsoft must do is label it as a necessary component for "security". Many third party software packages will be rendered useless once Microsoft decides through this "security" loophole who can and cannot see what's under the covers.

Microsoft lawyers (probably unbeknownst to DOJ lawyers) have carefully crafted wording to deny Open Source projects as a party in the revealing of any API or documentation. Open Source projects such as SAMBA, a competitor to Microsoft's file and print sharing services, may not fit the definition in III J (2).

"(a) has no history of software counterfeiting or piracy or willful violation of intellectual property rights, (b) has a reasonable business need for the API, Documentation or Communications Protocol for a planned or shipping product, (c) meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business, . . ."

The language is horribly slanted towards Microsoft.

It appears that Microsoft is the party which determines whether an organization will meet the criteria set forth and not the Enforcement Authority or other third party.

Condition (a) stipulates that the organization cannot have a "willful violation of intellectual property rights." Who determines whether a violation existed or at all and whether it was "willful"? Apparently Microsoft does.

Some Open Source organizations have indeed reverse engineered what Microsoft might consider their intellectual property. But it is odd that now that Microsoft will be required to expose these APIs. Those that were deemed by Microsoft (and not any judicial entity) to have violated those same API property rights in the past would be excluded from now legally obtaining those rights.

And Microsoft's choice of who is in violation of its intellectual property rights may have nothing to do with Microsoft's choice not to prosecute them in the past for those past violations. This wording is wholly inadequate.

Clause (b) allows Microsoft to determine if there is a business need to an API. Why should any company be required to disclose

to Microsoft the plans on how that company intends to produce a competitive product? Wouldn't that give Microsoft the product idea for themselves to develop and exploit, potentially beating that company to market?

Clauses (b) and (c) also allow Microsoft to determine if an organization is a business or not. An Open Source project is not necessarily (and in fact, most are not) a business in the capitalism model. There is necessarily no corporate structure, shareholders, or employees. There sometimes is simply a loose organization of individuals from around the world. However, these organizations produce some of the world's best software, much of which directly competes with Microsoft's programs.

The Final Judgment wording is easily interpreted to exclude Open Source projects and organizations and this wording is simply inadequate.

3. The Technical Committee (TC) is wrought with problems.

3.a. Why does Microsoft have the right to select a member? Isn't this allowing for a fox to guard the hen house?

3.b Why does Microsoft pay the costs for the TC? Doesn't this create a conflict of interest?

3.c The TC has no authority to impose fines, create injunctions, or limit actions against Microsoft.

3.d The TC is bound by confidentiality agreements to which, of course, Microsoft will require full adherence, thus severely limiting what the TC can discuss with non-parties. The citizenry of the US (and the world) has a right to know the details of a dispute, but when the dispute is classified as confidential at Microsoft's sole discretion, this really amounts to another gag order. How can this be good?

I find the TC severely lacking in its ability to curb any Microsoft behavior at all, especially when there is no real enforcement power given to this body, and when 1.5 people on the TC are appointed by Microsoft, and when the TC's payroll and expenses are reimbursed by Microsoft.

4. The term of five years is wholly inadequate. It has taken just as long to process this case as the proposed five-year term of this agreement.

The term should be indefinite. It should also be on the burden of Microsoft to prove at a later date that they have not violated Anti-Trust laws for a period of, say, no less than ten years before the DOJ should even consider ending the agreement. Microsoft has proven that they are willful law breakers.

After the previous settlement, Microsoft lawyers and executives set out to push the envelope of what was legal. They did not abide by the spirit of the last agreement and cannot be trusted to abide by any spirit of this one. Their past actions indicate that once again, their lawyers will be looking to exploit any and all weaknesses in this agreement.

5. There is absolutely no attempt to address restitution for any injured parties or address fines against Microsoft for breaking the law.

None.

Microsoft has \$38 billion in cash and this Final Judgment does nothing to address the fact that Microsoft made that money by its illegal acts.

I don't know how to explain to my family why one of the biggest corporate criminals in the world was allowed to keep the money they illegally made. The DOJ lawyers should be ashamed of themselves.

In conclusion, I do not support this proposed Final Judgment. It is inadequate to keep Microsoft in check and makes no attempt at restitution or fines. I respectfully ask that this proposed Final Judgment be rejected.

Chris Young
610 NW 79th St
Seattle, WA 98117
CC:Chris Young

MTC-00014038

From: M Hogan
To: Microsoft ATR
Date: 1/19/02 4:37pm
Subject: Microsoft Settlement

Please put faith and trust back into government. I believe whatever Microsoft has been purported, the accusers have also used whatever means at hand in the efforts of competitiveness.

Microsoft has shown to be far more ethical than its accusers using our governments money to fight a private grievance. This is not the time for our government to be wasting resources and energy on an issue that has already been determined to be fair and reasonable by even our own citizens responses. Don't they hear us?

This continued thirst for revenge by ego driven individuals is to say we are not capable of compromise and not worthy of our faith in the departments into which the public places their trust. I believe you have put forth every effort to get this behind us and move on. Your efforts have been in the public's best interest. The guide lines are firm yet fair. We are hoping you will rule in favor of this settlement.

Thank you for all your consideration in these grave times.

Patrick and Marlene Hogan

MTC-00014039

From: Patrick A. Ward
To: Microsoft ATR
Date: 1/19/02 4:37pm
Subject: Anti-competitive practices

I believe we use MS software because it is the "only game in town".

They stifle competition at every chance. The consumer is faced with the fact that they continually foist us to buy their new crap because they make sure anything new that might be worthwhile will not work with previous versions.

MTC-00014040

From: Dana Alan Carlton
To: Microsoft ATR
Date: 1/19/02 4:37pm
Subject: Microsoft case

Microsoft is a monopoly.

In the United States of America monopolies are not allowed.

Microsoft should be broken up and their influence in the marketplace diminished severely so there is true competition and innovation is allowed to flourish.

Microsoft should be severely punished financially, to the tune of tens of billions of dollars, for their predatory and anti

competitive behavior which has allowed them to dominate at the expense of other companies.

The playing field needs to be re-leveled at Microsoft's expense.

Microsoft does not need a slap on the back of the hand.

The U.S. government needs to stop giving Microsoft contracts and to help other competing companies.

Microsoft should be forced to sell off their browser and email products and not be allowed to expand their influence in new markets.

They should not be allowed to provide financing for companies they own in part or whole to gain control of other markets such as high speed internet access.

The Federal government should act quickly, not act years from now.

MTC-00014041

From: Dale Brooks
To: Microsoft ATR
Date: 1/19/02 4:46pm
Subject: Microsoft Settlement

It seems as though Microsoft will be prohibited from future anti-competitive actions, but the settlement seems to be very light in punitive action for past actions. What price is to be paid for past actions except to ensure that they do not recur. Microsoft has already won the monopoly war and this settlement does nothing to punish them for the atrocities committed during the battles. There is no punishment and there is no remorse from Microsoft.

MTC-00014042

From: Paul E Hurst
To: Microsoft ATR
Date: 1/19/02 4:44pm
Subject: Microsoft Settlement
Letter in the mail.

MTC-00014044

From: Brian Tvenstrup
To: Microsoft ATR
Date: 1/19/02 4:56pm
Subject: Microsoft Settlement

Judge Kollar-Kotally,
Throughout the entire Microsoft anti-trust case, every court has found that

Microsoft has abused its market power in a monopolistic fashion and stifled competition while earning unjust profits in the process. Furthermore, Microsoft has consistently shown itself to be unable or unwilling to police its own actions to bring them into accord with appropriate standards of conduct within a free-market community. Consequently, I believe that the proposed Microsoft settlement you are currently considering is fatally flawed. First, it does not adequately punish Microsoft for its violations to date and allows them to continue to enjoy the fruit of their anti-competitive and illegal behavior. Second, it provides no meaningful provisions to ensure that Microsoft will not repeat these sorts of activities in the future, because it does not structurally alter its ability to do so. I urge you to reject this proposal and accept only a more stringent and punitive set of remedies that will address the underlying issues of punishment and deterrence.

Sincerely,

Brian Tvenstrup
2522 West Walnut Street
Colmar, PA 18915

MTC-00014045

From: Ed Gow
To: Microsoft ATR
Date: 1/19/02 5:17pm
Subject: Microsoft Settlement

The settlement of the Microsoft antitrust trial that has been proposed by the Justice Department is weak and inadequate and is not in the public interest. Because of its many exclusions, this settlement would rely upon the greatest of good faith on the part of Microsoft.

Microsoft has not admitted to wrongdoing in the present case. They remain as they have shown themselves to be in the past, unwilling to abide in good faith by limits on their conduct. Only the most unambiguous of limits with clear means of enforcement and the prospect of harsh penalties can extract compliance from Microsoft.

Faced with a similarly inadequate settlement in 1994, Judge Stanley Sporkin rejected it. He was overruled and the 1995 consent decree was put in place by Judge Jackson. Microsoft went on to, in the most forgiving view, test the limits of that agreement. A more reasonable view that has emerged from the courts in the present trial is that Microsoft knowingly and systematically violated both the consent decree and the Sherman Act. Accepting a weak settlement in this case will guarantee a repeat of the unfortunate consequences of the 1995 decree.

As a consumer I have watched several times as Microsoft has used its market power to eliminate innovative products that were of interest to me. It is widely acknowledged that venture capitalists will not fund development that Microsoft opposes. This stifles innovation at its root. Microsoft is now moving to use its Windows monopoly to gain control of the ways that consumers use the internet. Although it was deemed unlikely by Judge Jackson at trial, the Internet Explorer browser has approached the status of a monopoly product (many internet web sites work properly only with IE). Such is the power of "comingling" with Windows.

In short, accepting the proposed settlement will harm the public by allowing Microsoft to continue its anticompetitive practices. It should be rejected in favor of a remedy that places clear limits on Microsoft's behavior and meaningful penalties for future abuses.

MTC-00014046

From: timmber
To: Microsoft ATR
Date: 1/19/02 5:20pm
Subject: microsoft settlement

I would like to see these frivolous lawsuits against Microsoft come to an end. The bottom line of this whole thing is a couple of companies who refuse to compete in the marketplace. They use "consumer protection" lingo to hide behind but what they really want is for Microsoft not to exist at all.

They think this will make their companies strong. All these lawsuits have done is to make America weak.

Just look at the rise of the EU and anyone with the common sense God gave them would see a real problem for American enterprise on the near horizon.

Our government is essentially eating its own young and the states just won't let go of it until Microsoft is so weak from funding lawsuits that they cannot lead America in free enterprise anymore. Please see this for what is really is and has been all along, and it has nothing to do with consumers, only with certain competitors who seem to want a socialist government instead of capitalist.

Computer products have been getting smarter and better for consumers and the prices have been coming down esp. considering the many things software can do now so rapidly.

Let's end this nonsense and get on with getting America recovered as a leader of the free world.

Respectfully,
Marie Timm

MTC-00014047

From: Joe Lamonte
To: Microsoft ATR
Date: 1/19/02 5:31pm
Subject: Microsoft settlement

To the Justice Department:

This whole lawsuit against Microsoft has been a case of injustice. It has caused my stock to lose half its value, many teachers and others to have considerable losses in their retirement portfolios, and has made government officials look like fools that can be manipulated by company executives that want to get a competitor out of the way.

I think that the ones who want all they can squeeze out of Microsoft are just like the fools that killed the goose that laid the golden eggs. Microsoft has been indirectly responsible for much of the boom we have experienced in the last decade. What has happened to them has been, and will be, a nightmare in the dreams of many who would like to begin new businesses or make their current businesses grow.

Please stop trying to take away the freedoms we have had in this great country. Stop undermining our justice system with judges that look likes complete idiots(Jackson).

Please tell those states to go check on Edward Kennedy if they want to really go after someone that needs to be stopped. Tell them to check on his connections with Merck and Medco and Paid Prescriptions, and then ask him why he wants to have Medicare cover all prescriptions for everyone.

How many other politicians do we have that have connections with businesses that are doing business with the government? How much business have they directed toward friends and relatives?

How many of them have lost net worth in the "service" of the public? How many pardons have been bought and bedrooms been rented out for libraries and campaign donations?

I think the government needs to get the beam out of their own eye before looking at the speck in another's.

Sincerely,
Myra Lamonte

MTC-00014048

From: Bob Crites
To: Microsoft ATR
Date: 1/19/02 5:40pm
Subject: Microsoft Settlement

I am opposed to the proposed settlement with Microsoft. I am not employed in the software or computer business. I do not own stock in any software or computer company. I just buy and use the products.

Microsoft has been found guilty of conducting illegal acts to maintain its monopoly of personal computer operating systems. But there does not seem to be even a light penalty for their behavior. There is nothing that I have read which would keep them from repeating the acts which lead to their conviction.

The settlement is so mild as to be almost humorous. But those of us who are consumers of software are not laughing. The monopoly which led them to something like 90 per cent of the market almost completely destroyed all other personal computing operating systems, and discouraged inventive software writers from creating new software.

A fair and effective resolution of this matter must provide incentives for Microsoft to comply with the law. No one believes they will become good citizens unless forced to.

Respectfully submitted,
Robert Crites
553 E Palo Verde Street
Yuma, AZ 85365

MTC-00014049

From: Jay Raison
To: Microsoft ATR
Date: 1/19/02 5:40pm
Subject: MICROSOFT Settlement

The litigation has dragged out too long already and has been a colossal waste. It is time to settle it now.

MTC-00014050

From: walter roubik
To: Microsoft ATR
Date: 1/19/02 5:39pm
Subject: Mixrosoft settlement

There are 3 PC's in our family working with Windows; we all believe that Windows was a factor in decreasing the price of personal PC's and that the consumer has substantially benefited. Microsoft competition didn't like it and got e receptive ear in Clinton's Administration resulting in an antitrust suit. After protracted litigation an equitable settlement was reached; it is being now attacked by Attorneys General of several states. Further delay will prevent return to normalcy in the PC market and enrich trial lawyers. I urge you to conclude the matter now. Respectfully Walter Roubik

MTC-00014051

From: Rick Fister
To: Microsoft ATR
Date: 1/19/02 5:45pm
Subject: Microsoft Settlement

Dear DOJ,

As a software developer who watched Microsoft ruthlessly destroy Netscape, and who is currently watching Microsoft employ similar tactics to unfairly compete with Real Networks, I am shocked at the proposed settlement. These are just the segments of the

market that I happen to follow; I suspect that Microsoft employs similar unfair monopoly tactics in other market segments. Please see that justice is carried out by creating a settlement that fairly punishes Microsoft for abusing its monopoly position. Note that any settlement that "punishes" Microsoft by requiring it to distribute its software (to schools, etc.) is absurd in the context of dealing with a monopoly.

If Microsoft refuses to accept a reasonable settlement, then please move forward with the court case.

Sincerely,
Rick Fister

MTC-00014052

From: Bert Altenburg
To: Microsoft ATR
Date: 1/19/02 1:29pm
Subject: Microsoft Settlement

Dear Ms. Hesse,

Microsoft is able to keep and abuse its monopoly due to the fact that its Office suite uses mainly proprietary file formats. If details about these formats were in the public domain, other companies could create easier to use and cheaper programs while maintaining file compatibility. That is, we would finally have a choice. The file formats should be extendable by every company (using an open architecture, allowing for plug-ins), and Microsoft should be forced to implement any improvements in the form of plug-ins (and not change the file formats again). That is, other companies will be able to do more than just follow Microsoft: they can innovate, forcing Microsoft to start doing the same.

Your attention in this is appreciated.

Yours sincerely,
Bert Altenburg

MTC-00014053

From: John Petri
To: Microsoft Settlement
Date: 1/19/02 2:07pm
Subject: Microsoft Settlement
John Petri
512 N. Grove Street, Suite 203
Hendersonville, NC 28792-4489
January 19, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of

stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
John O. Petri

MTC-00014054

From: James Lewis
To: Microsoft Settlement
Date: 1/19/02 3:43pm
Subject: Microsoft Settlement
James Lewis
1712 Cottonwood Dr.
Waukesha, WI 53189-7227
January 19, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
James W. Lewis, II

MTC-00014055

From: Kuebelbeck, Jason
To: "Microsoft.atr(a)usdoj.gov"
Date: 1/19/02 6:05pm
Subject: Microsoft Settlement

I think the proposed Microsoft Settlement is a bad idea. The company has made no substantive changes to the way it does business. It is thumbing its nose at the American Government. I think the settlement needs to be much, much more restrictive of Microsoft's actions.

MTC-00014056

From: hostmaster@
clearwaterpeace.org@inetgw
To: Microsoft ATR
Date: 1/19/02 6:08pm

Subject: View of proposed settlements

I am addressing this address because of a report that the Department is seeking public comment on the proposed Microsoft settlement.

Microsoft was caught engaging in anti-competitive behaviors, confirming rumors on the street that had previously been fairly well accepted by observers. These behaviors including various forms of blackmail, such as charging OEM's for the price of Windows times the numbers of units sold, without regard to whether Windows was in fact installed, and charging a higher price to people who would not commit to Microsoft Apps being default apps or exclusive holders of a place on the desktop. The trial judge's findings of fact in these regards are still the facts of the case.

Of considerable interest to me is that Microsoft was caught in deliberate factual misrepresentations to the court more than once, yet showed no remorse or embarrassment, evidencing an arrogance that mocks any future reliance on in their truthfulness. Presumably if they will lie to the sitting judge in an anti-trust case, and ignore the fact they got caught at it, one may assume they will continue to lie to any enforcer/inspector.

The trial judge's remedy was positively inspired. Make sure that the OS folks have no lock on the apps, and vis versa.

This was the second time that Microsoft was in the courts over monopolistic manipulation of the marketplace. It was clear they had violated the intent and spirit of the first court order. They are simply not to be trusted.

As for Microsoft's oft invocation of the right to innovate, one must reluctantly conclude that the only "innovation" ever produced by Microsoft, was their bald-faced adoption of ideas from DR/DOS, Xerox, and Apple, marketed in the press releases as their own wonderful new idea, and gullibly lapped up by the press. They also innovated by introducing to the software business the business model and ethics of the Robber Barons of the late nineteenth century. The highest quality work product of the company is their marketing and propaganda. Their ability to deliver to the public beta software sold as the final product is legendary, not to mention illustrative introduction of XP as "the most secure OS ever" which OS was within the week shown vulnerable to all sorts of attacks. That they charge what they do for products which are as poor as they are, is further proof of the existence of a monopoly.

Do not trust these people. Place no faith in them. Do not rely on them in any way, shape or form. Every representation made to you by them is to be treated as untruthful in terms of designing the remedy.

Oliwni,
Ted

MTC-00014057

From: Clifford Wiernik
To: Microsoft ATR
Date: 1/19/02 6:18pm
Subject: Microsoft settlement

I am a certified public accountant and programmer. I work with both Microsoft and Novell networks. I program for the Microsoft

environment. I do not feel that the proposed Microsoft/US government settlement is sufficient. It does nothing to remedy the monopoly situation.

Because of the current monopoly situation Microsoft has been able to:

1. Release new software without fixing adequately bugs in the old software

2. Force changes in licensing agreements that significantly increase the price of software

3. The price of operating system software has gone up instead of gone down as other technology items have.

4. The current XP home and XP professional release is just an indication of the problem. Their monopoly status has allowed them to create a Home release that is not supported on computer networks but because of the \$100 price difference, is not available in stores like BestBuy, Staples, Office Depot, etc. (that is readily available). That limits business options.

Prior version of Win9X were also usable on corporate networks which the Home version replaces.

Nothing in the settlement would remedy this.

5. Microsoft's software is similar in function to the engine of a car. If a car engine had as many defects Microsofts operating system products, the likes of Ralph Nader and US Consumer Products Division would have a field day.

Because of the monopoly situation, they are in a position to constantly force new versions without fixing the prior versions. Moreover, the current indications are that Microsoft is pulling support, especially via corporate licensing programs, for older versions even faster. Because of their track record with bugs releases and security problems, support is being pulled for a stable version before the corporate community can adequately test and fully implement these items.

In my view, Microsoft's Operating System Division should be separate from the software division so the operating system division would finally produce a truly stable operating system. Currently, their monopoly status does not allow any viable alternatives as software drives the operating system choice. Without adequate user software, the greatest operating system will not achieve any acceptable level of wide spread use.

Clifford Wiernik
325 Ann Drive
Stevens Point, WI 54481

MTC-00014058

From: Ellen
To: Microsoft ATR
Date: 1/19/02 6:40pm
Subject: Microsoft Settlement
Attorney General John Ashcroft:

I would like to share my opinions with you on the pending Microsoft Settlement. I have used Microsoft products for over a decade. I have purchased many of their software products over the years because I like the software and the software works. I have tried other software to see if it offered something better but I did not find that it did. I am aware that there are other operating systems

available, such as Linux, Macintosh, BeOS, but I choose to use Windows because I feel it is the best. I have a problem understanding why Microsoft is considered a monopoly when consumers have choices and they choose

Microsoft. However, I understand that there is a settlement in the Justice Department's suit against Microsoft and I am sending this e-mail to give my support to this agreement and ask that you also support it. It's time to move ahead and let Microsoft move ahead to develop better and more exciting products for consumers.

I understand that Microsoft has agreed to terms that far exceed the products and procedures that were actually at issue in the suit. Microsoft has agreed to help companies better achieve a greater degree of reliability with regard to their networking software. Microsoft has agreed to design future versions of Windows with a capability making it easier to promote non-Microsoft software. It seems to me that Microsoft has done far more than what was needed.

Thank you
Ellen Warren
18 Tomahawk Drive
White Plains, NY 10603

MTC-00014059

From: Margaret (038) Doug Green
To: Microsoft ATR
Date: 1/19/02 6:45pm
Subject: Microsoft Settlement Letter
Original Message
From: Margaret & Doug Green
To: microsoft.wtr.@usdoj.gov
Sent: Friday, January 18, 2002 5:52 PM
Subject: USAGGreen—Margaret—1026—0116 (3)

1906 Southwest 43rd Street
Pendleton, OR 97801
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you today to express my opinion in regards to the Microsoft settlement. I am a Microsoft supporter; therefore, I support this settlement and the end of this costly litigation.

This settlement was reached after extensive negotiations. Microsoft has agreed to fully carry out all provisions of this agreement. Microsoft has agreed to not retaliate against computer makers who ship software that competes with anything in its Windows operating system. A technical oversight committee has been created by the government to oversee Microsoft compliance to this agreement.

This settlement will benefit all of us. Please support this settlement and allow this company to get back to business. Thank you for your support.

Sincerely,
Margaret Green

MTC-00014060

From: Glae Thien
To: Microsoft ATR
Date: 1/19/02 6:54pm

Subject: Microsoft settlement

Glae Thien
551 E. 4th Avenue
Escondido, CA 92025
760-745-3457
glae@incom.net
January 19, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

The purpose of this letter is to inform you of my support of the settlement reached between Microsoft and the Dept. of Justice. After three years of protracted litigation resolution regarding this matter is extremely welcome. While I disagree with the original merits of this case, I believe settling this issue is highly beneficial in that it allows Microsoft and other members of the tech industry to return their full focus to business productivity. The changes called for within the terms of the settlement are generous on behalf of Microsoft, which has agreed to disclose the internal interfaces and protocols of the Windows operating system. Thus, beginning with the interim release of Windows XP, users will be able to add or delete software according to their tastes. This ensures greater freedom in user's ability to configure their operating systems.

Obviously, Microsoft is willing to make concessions in the interests of resolution, I would hope that the Justice Department would comply.

Sincerely,
Glae Thien

MTC-00014061

From: schneidj@bellsouth.net@inetgw
To: Microsoft ATR
Date: 1/19/02 7:26pm
Subject: Microsoft Antitrust Settlement
Att: John Ashcroft
John I. Schneider
14100 Hickory Hills Trail
Jeffersontown, KY 40299
January 19, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to express my opinion that the recent antitrust settlement between the US Department of Justice and Microsoft has been a long time coming. I think it is ridiculous that litigation has dragged on for over three years now and think that our public's best interests will be served when government stops interfering with successful innovative companies that have made huge contributions to our society.

The terms of the settlement not only reflect the intense lobbying of competitors to Microsoft, but also politicians and lawmakers lack of concern for consumer rights. Ironically, all the terms of the settlement seem to just focus on helping competitors get an edge they could not gain on their own through hard work. For instance, Microsoft will be granting broad new rights to computer makers to configure Windows to actively promote non-Microsoft products. Microsoft has also agreed not to retaliate

against computer makers and software developers who promote non-Microsoft products.

Although unjustified, the settlement is in the best interest of American public because it is better than the alternative of further litigation. Our nation cannot afford any more lawsuits against the cornerstone of the tech sector. I hope your office takes my opinion seriously and that you make the right decision at the end of the public comment period.

Sincerely,
John Schneider

MTC-00014062

From: weep@gte.net@inetgw
To: Microsoft ATR
Date: 1/19/02 7:33pm
Subject: Fw: Microsoft Settlement
Original Message
From: weep@gte.net
To: microsoft.atr@usdaj.gov
Cc: fin@mobilizationoffice.com ; David G. Bradlee

Sent: Saturday, January 19, 2002 3:17 PM
Subject: Microsoft Settlement

Dear Mr. Ashcroft:

I am writing to you to address the antitrust settlement reached between Microsoft and the Department of Justice. Both my wife Adele and I are in favor of the current settlement and putting an end to these proceedings immediately.

Under the terms of the settlement, Microsoft will grant computer makers the rights to configure Windows to promote non-Microsoft software programs that compete with programs included in Windows. Computer makers may now replace peripheral Windows components such as Internet Explorer and Media Player with access to non-Microsoft software such as Netscape Communicator and Real Player. Microsoft has also agreed to release internal operating interfaces of Windows to its competitors for the purposes of their own software development.

We both have used Microsoft products for many years without complaint and have never seen the monopolistic face that has been portrayed by the advocates of the antitrust case. We believe that the litigation process is being unnecessarily drawn out by the remaining unsettled states. Their refusal to the settlement is wasting valuable time and resources, including our tax dollars. Given the current state of our nations economy, we think that it is absurd to continue deliberating this issue any longer.

Cordially,
Merrill & Adele Bradlee
3535 Birkdale Lane
Palm Harbor, FL 34684

MTC-00014063

From: jmzoffel
To: Microsoft ATR
Date: 1/19/02 8:08pm
Subject: MICROSOFT SETTLEMENT

To Whom It May Concern:

I HAVE ALWAYS BEEN OF THE OPINION THAT THE COMPANIES and states SUING MICROSOFT HAVE HAD MANY YEARS TO COME UP WITH A DIFFERENT OR BETTER PRODUCT THAT MICROSOFT HAS.

BUT THESE COMPANIES HAVE NOT COME UP WITH THAT NEW PRODUCT- INSTEAD THEY CONTINUE TO SUE MICROSOFT.

WHERE WOULD THE WORLD BE IF WERE NOT FOR MICROSOFT.

WHO BENEFITS FROM FURTHER LITIGATION? The ATTORNEYS and other people looking for a free ride.

Microsoft has always tried to help me solve computer problems over the phone and that is not always easy because I only have one phone line and am not a computer genius (know a computer fairly well).

Do hope the Judge will use common sense in this matter. COMMON SENSE what wonderful words—long forgotten in many vocabularies these days.

Thank you,
Joan M. Zoffel
Seattle, Washington

MTC-00014064

From: Brad Borland
To: Microsoft ATR
Date: 1/19/02 8:23pm
Subject: DOJ vs MSFT

I am of the firm opinion that the settlement reached between the subject parties is in the public interest.

My reasons are mutiple, and are not in the least influenced by the fact that I have a few shares of Microsoft stock.

J. Bradford Borland

MTC-00014065

From: DJCrist@aol.com@inetgw
To: Microsoft ATR
Date: 1/19/02 8:27pm
Subject: Microsoft Settlement

Please do not tie up any more of my tax dollars on litigation.

I hope you settle this once and for all.

The consumer has free choice, the best software will flourish no matter who makes it. Let the consumers decide. I have not been harmed in any way.

Thanks for listening. Hope you take this to heart.

Sincerely, Deborah Crist

MTC-00014066

From: JMandel375@aol.com@inetgw
To: Microsoft ATR
Date: 1/19/02 8:48pm
Subject: microsoft settlement

We agree that a settlement is just and right for this situation. End this litigation and let the attorney's involved get on to more important issues.

Child welfare is not a financial success issue but sure needs a lot of help!! Snicerely, Mary Ann Mandel

MTC-00014067

From: bruce
To: Microsoft ATR
Date: 1/19/02 8:52pm
Subject: Microsoft Settlement

Microsoft is good at playing the game. Even with severe penalties I question whether they will change. Their business practices and attitude are arrogant.

Is it late for you to do anything to solve the problem? Maybe. You blinked and now they feel stronger. Last hope, I think, is to be tenacious in getting a settlement that

punishes them to the point that it actually hurts.

Blink again and you've lost for good. The next fight will be worse than this one. Make the most of this chance.

MTC-00014068

From: Orlene McCarthy
To: Microsoft ATR
Date: 1/19/02 9:08pm
Subject: Microsoft Settlement

Please Please settle this The Government should have never gotten involved the economy was good until you started with trying to put them out of business. If you settle this I guarantee this will help the economy they have did nothing wrong. They employ millions and gave us the best in the technical industry and look what the Clinton's did. Please take care of this for all of us. Thanks

Live,Love,Laugh

MTC-00014069

From: Dan Bain
To: Microsoft ATR
Date: 1/19/02 9:10pm
Subject: Microsoft Settlement

Dear Judge,

I am a student who is majoring in Business Administration at the University of Southern California. I am a firm believer in this country and the economic foundations that it was established on. Time has proven that capitalism and free market competition are the most effective means of prosperity.

Do not allow Microsoft to tear down this system that has worked so effectively and efficiently for this country.

Every court that has reviewed this case has declared that Microsoft has been aggressive in their illegal conduct, and I ask you to hold up the law and punish them for their actions, do not reward them by giving them exactly what they want.

Sincerely,
Daniel James Bain
dbain@usc.edu
213-764-1414

CC:microsoftcomments@doj.ca.gov@inetgw

MTC-00014070

From: David C.
To: Microsoft ATR
Date: 1/19/02 9:28pm
Subject: Regarding the proposed settlement

To whomever it may concern,

As an unbiased developer who has embraced and employed both Microsoft and Sun technologies during my extensive software development career, it is my personal and professional opinion that the proposed settlement is both a misunderstanding of the nature of the damages caused by Microsoft monopoly tactics, and also a comparative slap-on-the-wrist in relation to what I consider appropriate action to be.

Contrary to popular belief, Microsoft is not the keystone of the American economy, and the economy would not suffer if Microsoft were even broken in two, as was previously proposed. Microsoft is a competition-killer. How has it responded in the face of suits declaring the bundling of Internet Explorer with the Windows operating system? It has bundled even more software for everything

from CD burning to website building, embedded deeply into the core operating system. This will in result make it extremely difficult for existing vendors of such products to penetrate the market with Microsoft's mass dilution, causing a wave of small companies to capsize altogether. The ripple effect will not go unnoticed among medium and large companies, whether Microsoft rivals or not.

Curtailing Microsoft's monopolistic tactics with firm sanctions (e.g., dividing the company) would more than likely result in a *boost* to the economy and an influx of new innovations and opportunities, benefiting both the consumer and our nation's large technical development industries (programmers, architects, etc.)

Of course, this is just my humble opinion and I invite you to take it for what it is worth. Thanks for reading.

Regards,
David Carel
Senior Software Development Engineer

MTC-00014071

From: Gary Vogt
To: Microsoft ATR
Date: 1/19/02 9:33pm
Subject: Settlement opinion

I take great exception to the DOJ's proposed acceptance of this settlement as a viable punishment towards Microsoft. It is nothing more, in my opinion, than another step toward monopolizing efforts that are already under investigation. This may be the equivalent of slapping a drug dealer on the wrist for charging too much for his or her product and forcing them to "donate" a portion of future product to the masses so no one is left out of the deal. Why would I want to propagate such an effort? Does this really punish the guilty party? We all know the answer—NO! It actually reinforces the stranglehold they are currently being "held accountable" for. Apple Computer has long had a foothold in the one market that Microsoft so desperately wants—education. If we as Americans are to punish a "monopolizer" by allowing them to donate their proprietary operating systems and application programs to "needy (non Apple market) school systems", are we not as guilty as Microsoft?

While roughly 80% of the software to be donated is Windows specific, the opposite is true of the operating system of choice in most school systems. This is where I believe we will all suffer. If we offer free or discounted software to schools that cannot afford to purchase the machines it runs on, what good can come of it? Perhaps these schools have functioning, but older, Apple computers, but are ready to propose a budget for staff and/or new equipment in the next year or so. What system do you suppose they will budget for if they are getting Windows specific software for free? We have just furthered the Microsoft cause by forcing more non Apple computers into the system. I thought that was what we were trying to prevent them from doing. I admit that I am a Apple owner and user. I am also a Windows user at work. I am biased towards the Mac/Apple operating system based on my ability to use both and make an educated

decision of which to "own". This is called freedom of choice, I believe. If Microsoft wants to legitimately "help needy school systems", let them donate in the form of trust funds that can be used to staff our schools with qualified teachers and equipment. Let them set up annuities. Give the schools a check. Don't let them "give" the school a \$150.00 software title that they have all of \$1.00 invested in raw materials. This only amounts to a \$ 149.00 charitable deduction at the end of the tax year. Give the people responsible for educating the future adults and voters of our country that same freedom of choice.

Please see this offer from Microsoft for what it really is—a way to get into the market that has eluded them for years and hook them early and for life into their operating system. This will only force the school systems to hire more I.T. people to keep the Windows systems running when they should be hiring more teachers instead of cutting staff.

Respectfully,
Gary A. Vogt

MTC-00014072

From: Carl Strasser
To: Microsoft Settlement
Date: 1/19/02 5:22pm
Subject: Microsoft Settlement
Carl Strasser
147 Riverside Drive
Waterford, WI 53151
January 19, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry.

It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
carl strasser

MTC-00014073

From: Peggy Wheeler

To: Microsoft Settlement
Date: 1/19/02 8:27pm
Subject: Microsoft Settlement
Peggy Wheeler
640 Riverhaven Dr.
Suwanee, GA 30024
January 19, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Peggy Wheeler

MTC-00014074

From: Judith Sego
To: Microsoft Settlement
Date: 1/19/02 8:03pm
Subject: Microsoft Settlement
Judith Sego
223 Orange Street
Newport Beach, CA 92663
January 19, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Judith C. Sego

MTC-00014075

From: Bruce Burgess
To: Microsoft Settlement
Date: 1/19/02 7:58pm
Subject: Microsoft Settlement
Bruce Burgess
3053 Bardona Circle
Gibsonia, Pa 15044
January 19, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry.

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Thank you for this opportunity to share my views.

Sincerely,
Bruce U. Burgess

MTC-00014076

From: emringer@netscape.net@inetgw
To: Microsoft ATR
Date: 1/19/02 9:36pm
Subject: Microsoft Settlement

There should be no settlement short of breaking Microsoft Corp. into separate Operating System and Application companys. Microsoft has repeatedly shown that it will violate the intent of any settlement.

At the very least, Microsoft should be forced to publish the source code for the Windows operating system. Having the source code open for inspection will enable

competitors to verify that Microsoft's operating systems division is not sabotaging their products.

Eric Ringer
emringer@netscape.net

MTC-00014077

From: Ronald Payne
To: Microsoft Settlement
Date: 1/19/02 5:48pm
Subject: Microsoft Settlement
Ronald Payne
P.O. Box 1112—136 Hermitage Drive
Smyrna, Tn 37167—1112
January 19, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry.

It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Ronald August Payne

MTC-00014078

From: Christopher Ward
To: Microsoft ATR
Date: 1/19/02 9:48pm
Subject: Microsoft Settlement
13775 Southwest 23rd Street
Beaverton, OR 97008-5064
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
January 17, 2002

Dear Mr. Ashcroft:

I was relieved to hear that the Justice Department has finally put an end to its persecution of Microsoft.

Unfortunately, Microsoft had to give up a lot in order to get a settlement in the matter. I hope that you will further publicize the terms so that everyone can know just how much they are giving up.

Microsoft giving up the access that it has promised to its competitors, is like Coke

giving Pepsi the recipes for all its drinks. What's more, Microsoft has promised not to retaliate against their competitors when they use that code to further their own products.

With this and many other hampering provisions in the settlement, I can't see how anyone would be unsatisfied with what's on the table. Let's hurry up and put this issue to rest. There are certainly more important issues for the Justice Department to deal with right now.

Sincerely,
Christopher Ward

MTC-00014079

From: rbogan
To: Microsoft ATR
Date: 1/19/02 10:07pm
Subject: Microsoft Settlement.

I realize that this case is from a business standpoint. Oh the other hand though how can anyone in Washington make a judgment on something they know NOTHING about. If the press has kept things accurate then from my perspective being someone in the industry the federal government looks like a bunch of asses. Does the government actually know what they are breaking up or doing with Microsoft. Most of the IT jobs that the government has aren't worth anything because the best and greatest young minds will go elsewhere where they can be paid better wages and not deal with things like which congress man slept with which intern. Is the government doing the "People" a favor by screwing Microsoft. NO THEY AREN'T. If the government had people dealing with IT as smart as Microsoft, or Apple Computer, or Cisco, or Sun, then maybe they could understand what they are doing to the PC user in the long run and see how they're going to affect the PC users of the world. The government looks like asses now and that's the bottom line.

Next time they pursue an IT giant they need to do more homework.

R Bogan or you could call me one pissed off SOB

MTC-00014080

From: Mike Koehn
To: Microsoft ATR
Date: 1/19/02 10:09pm
Subject: Microsoft

I believe that Microsofts goal is to gain complete control of the internet then make sure that every person and company in the world pays them x amount of dollars per month, forever.

Mike Koehn

MTC-00014081

From: Tjedee@cs.com@inetgw
To: Microsoft ATR
Date: 1/19/02 11:07pm
Subject: Microsoft Settlement
Dear Justice Department,

Bill Gates's blatant snubbing of anti-trust laws, and his getting by with it this far, is very disturbing to me. Each and every objection he has had to charges and indictments has bordered on preposterous. And the appearance of his buying off his enemies is exceptionally disturbing to me. It confirms yet again that if you have the money, you can get away with anything. Mr. Gates's claims that Microsoft was merely an

innovative company that became obscenely profitable using good old capitalistic tactics. MS software is installed on every computer one buys; the manufacturers have no choice in the matter; and Mr. Gates is clearly responsible for this monopoly.

Having worked in law firms for the past 15 years, I have watched a superior legal word processing system (Word Perfect/Corel) be choked out of existence by MS Windows, an operating system which is ONLY friendly to Microsoft software programs.

I've seen secretaries, paralegals, word processors, lawyers, and computer systems managers struggle for hours and hours, trying to make non-MS software programs work on their PCs. I've seen law firms spend hundreds of thousands of dollars switching everything to Microsoft because MS Outlook would not attach a Word Perfect/Corel document in readable format.

I, like thousands of other consumers, have had no choice but to buy computers with carloads of Microsoft programs already installed—programs which I did not need, did not want, and did not use, but paid for nonetheless. Microsoft (Bill Gates) deserves no slack from anyone. He should be prosecuted to the fullest extent. After all, he will still end up the richest man in the world, proving to everyone that unscrupulous business practices do indeed pay off in the U.S.

Tobi Dragert, 800 W. 1st Street, #2307, LA 90012; (213) 680-1016

MTC-00014082

From: joseph mcnicoll
To: Microsoft ATR
Date: 1/19/02 11:10pm
Subject: Tunney Act

What is the Constitutional enabling clause that gives the Tunney Act effect in the 50 Union States.

MTC-00014083

From: Gregory Slayton
To: Microsoft ATR,microsoftcomments
@doj.ca.gov@inetgw
Date: 1/19/02 11:56pm
Subject: ; Microsoft Settlement

Dear Judge Kollar-Kotally,
I am a 20 year software executive who has had the opportunity to both partner with Microsoft and compete against Microsoft during my career. As such, I have spent time in Redmond, WA and gotten to know firsthand both the culture, and Machiavellian management philosophy that has been a legacy at Microsoft.

In recent days, I have come to know through an ex-colleague some of the details relating to the Proposed Settlement made by the Justice Department with Microsoft, and to say the least, I am displeased by them. This is why I am writing to you today.

Your Honor, how could the Justice Department grant Microsoft a government-mandated monopoly of the software industry and even worse—other technology markets? Clearly, this decision would seriously jeopardize all competitors—both now and in the future. This decision would clearly violate some basic principals of Capitalism, such as our right to choose, our right to fair competition, fair pricing, etc.

In closing, your Honor, I submit to you that like never before in our Country's history, Microsoft has unequivocally shown itself to be the proverbial 800 pound gorilla. Their illegal conduct and activities (bribing & threatening partners and competitors) have been proven time and time again. I would like to see Microsoft be brought to justice for the good of our country, our economy, and most of all—the good of our people. I like millions of other Americans are counting on you, and counting on justice to prevail.

Respectfully,
Joseph Cortale
Joseph Cortale
Senior Vice President of Sales
jcortale@eloquent.com
Eloquent, 2000 Alameda de Las Pulgas, Suite 100, San Mateo CA 94403, Tel: (650) 294-6474, www.eloquent.com.

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MTC-00014084

From: Wendla Ableson
To: Microsoft Settlement
Date: 1/19/02 9:23pm
Subject: Microsoft Settlement
Wendla Ableson
4216 Foxglove Trace
Indianapolis, IN 46237-1316
January 19, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:
The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Wendla B. Ableson

MTC-00014085

From: Phillipa Zylanoff
To: Microsoft Settlement

Date: 1/19/02 9:35pm
Subject: Microsoft Settlement
Phillipa Zylanoff
17311 Beechwood
Beverly Hills, MI 48025
January 19, 2002.
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530.

Dear Microsoft Settlement:
The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Phillipa L. Zylanoff, M.D.

MTC-00014086

From: gordon greider
To: Microsoft Settlement
Date: 1/19/02 9:53pm
Subject: Microsoft Settlement
gordon greider
3158e cr 450s
logansport, in 46947
January 19, 2002.
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530.

Dear Microsoft Settlement:
The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
gordon greider

MTC-00014087

From: Braden Bruington
To: Microsoft ATR
Date: 1/20/02 1:29am
Subject: Microsoft Settlement

I do not see how Microsoft's proposed settlement would follow the nature of the antitrust case against it. A direct abuse of their position to promote their products to a population that may be unfamiliar to computer technology should not be allowable, let alone condonable. I also believe that the damages caused by Microsoft's anticompetitive actions far outweigh the resolutions of this settlement. As a computer user, I know that my right to choose software has been denied by Microsoft's control over the industry. Based upon my need to work and communicate with the rest of the computing world, I find myself using Microsoft's products for the sole reason of an absence of choice. The actions of Microsoft as a company to achieve this monopolistic position are common knowledge, and because of the extreme repercussions they have had on the industry and society, this settlement should not be accepted.

Sincerely,
A Concerned Citizen and Computer User

MTC-00014088

From: Frederick Royce Perez
To: Microsoft ATR
Date: 1/20/02 1:44am
Subject: Re: U.S. v. Microsoft: Settlement Information

Dear sir:

Like a leaking vessel the apparently illegal and patently suffocating behaviors represent an assault, perhaps not unprecedented but in breadth and scope, or any way you would choose to characterize this matter balanced against the facts an accomplished blatant assault. That a perversion of the sense of fair play formerly ingrained above any power of any law in the ordinary intercourse of American life has occurred, is beyond doubt and lamentably so. The seeping and leaking of this twisted crushing conspiracy to lay waste to honest vendors in a warlike and the subsequent loss of honest exchange is pretty much beyond any defense in 1997. The thought of investing in a superior product seems to have failed to appear as a strategic position of sufficient value to these ladies and gentlemen. I could hardly fail to mention that the organization has lost in every court they have stepped foot in every way and manner presented in this matter.

The history of dilatory and delaying complaints lain before the courts is another example of the stupendous resources

available to this seemingly obvious criminal enterprise. By these actions one see's the scorched earth mentality of men and women at war. These matter's to a man who spent an entire life in fair competition for an ordinary compensation provide as with the Enron debacle a failure of American values as expressed through our history in the political arm's of government. Those who would become a government by fiat through the strangulation of free enterprise and speech are no longer restrained by moral or ethical suasion's if in fact they ever are, but more astonishingly the legal system has denied relief through justice delayed. The price we pay for permitting bullies to swagger are becoming stylish to frown upon, but I think the public awareness is easily manipulated by time, time which has no virtue to clean the filthy but to put the odor perhaps out of probity. Here again the means of this organization to place itself beyond the law through the applications of what appears to the native mind massive exertion a staggering 666 millions in legal fee's this year, for them a trifle, which they possess only by their robbing the consumers of our country and our world with the strange compliance of our perhaps fatally weak political system, paralyzed by money not argument.

That there is no reasonable argument to satisfy the relevant facts against them, has lead to it is fair to say, an open warfare on those less strong, some of whom may not have been the best at least they were not laughable. That by hardening their attitude while thumbing their nose at the institutions of American life and forcing our society to be drained of their qualities and vigor by the inevitable collapse of intelligence, as compared to the robust nature of competition's inspiring branches of thought and improvement not even dreamed of, to support this endeavor of government by fiat and the fracturing of economy to what has become insecure, and the weakest of splinters. Virtually no avenue of restraint of trade has failed to be exercised by the people of this software company. The dizzying scope of low minded bullying, predatory practices, revolts any sense of dignity or decency, and regard for American virtues and essence's of fair play, and English common law which levels the legal profession to every walk of life with a blind eye to privilege as determined by the makers of the law not the makers of money and the subsequent privilege.

I have read the complaint and I have watched for years in sorrow as the mediocre software pushed on the world that has cost all of our friends and ourselves the freedoms of strength in access to knowledge and information by what in any simple analysis is by far the costliest system to use in wasting of power of computer system drives with leaky, and from poorly written programs, requiring systems to live within a narrow form of communication that stands alone in reflecting the American will to embrace all culture denied. Taken as a direct cause of the effect one can see how difficult it might be for an outsized behemoth to repress it's singular wish to mold every face in it's image. However it is seen that this is as a

poor way to write software or any other fine cultural artifact as appears in recent or further memory. I believe that in the end the common sense of ordinary people like myself struggling all our lives for our families with little time or energy left at the end of a long day with no secretaries to pick up the slack can see that any endeavor suffer's when not requiring devotion to it's subject as opposed to subjecting it's objects, and those objects would be us.

Sincerely
Frederick Royce Perez.
CC:Frederick Royce Perez

MTC-00014089

From: Chic Young
To: Microsoft ATR
Date: 1/20/02 1:55am
Subject: Microsoft Settlement

From past reports in the newspapers and news magazines regarding the settlement offered by Microsoft, I see no long term economic advantage to the public to be gained by further prolonging this litigation on a State by State basis.

The settlement offered seems to be reasonable, and the best for all concerned that is likely to be achieved.

MTC-00014090

From: Stephen Frost
To: Microsoft ATR
Date: 1/20/02 2:23am
Subject: Consultant/end user comments on your proposed settlement
<Nov. 16>

I'm a computer consultant. I believe a stripped-down, basic version of Windows should be required, for less cost than the bloated version. The OS is like a chassis upon which each user builds his or her software set that s/he needs to use to get work done. Microsoft has always complicated things by putting in extra stuff to try to kill competitors and never has focused on stable, quality products. Internet Explorer in Windows 98 never had to be commingled with the operating system for technical reasons. They could have made it a removable component but purposely engineered it to be nearly impossible for the end user to remove. (It is possible. There's a product that does it called "98lite" [www.98lite.net]) In Windows XP, one can't (easily, if at all) remove Outlook Express, Windows Messenger, Media Player, nor Internet Explorer. When there are problems with these applications, they can't be solved by un- and reinstalling. This has always meant wiping everything off and starting a clean install from scratch in the past, and I don't see that changing. It's a major hassle and waste of time, and all of it is unnecessary. Microsoft only does it to shut out competitors. I cannot choose what to have on my own computer, nor can other users. We also can't buy a home PC from a major manufacturer without Windows already installed. None of this is being addressed.

The proposed settlement provides no punishment for all the damage MS has caused to the industry, and to customers. All my *personal* frustration with MS products, which I have no choice but to use for work, receive no redress in the DOJ settlement.

Sincerely,
Stephen Frost
4575 Campus Ave, #5
San Diego, CA 92116

MTC-00014091

From: dave kisner
To: Microsoft ATR
Date: 1/20/02 2:45am
Subject: Microsoft Settlement

Thank you, for the opportunity to comment on this subject. I would like to offer a suggestion on how best to settle the current case with Microsoft.

I think the settlement solution could be quite simple. It seems to me that the punishment should fit the crime, and in this case the crime is the way Microsoft used it's monopoly position and it's web browser "Internet Explorer" to do harm to a competitor. I think, the best way to punish them for this would be to take away the weapon they used to commit the crime. In this case it was their internet browser "Internet Explorer". Take away their browser technology and make it available as an open source product. At the same time, do not allow them to produce another browser to compete with it. This will hit Microsoft right where it hurts, and more importantly, the punishment will have fit the crime. You also send a clear message that attempting to use their monopoly position like this again, may result in losing the very technology they are trying to control.

Just my 2 cents,
Sincerely,
David Kisner

MTC-00014092

From: UserLarry563@cs.com@inetgw
To: Microsoft ATR
Date: 1/20/02 3:04am
Subject: Microsoft Settlement

Dear Attorney General Ashcroft:

I want to congratulate you on your courageous and effective leadership during this time of national crisis.

However, the purpose of this letter is to enter a plea that the Federal Court hearing the Microsoft antitrust case would accept the current settlement of that case. The current settlement encourages consumer product choice, promotes product innovation, and provides nonMicrosoft related computer and software manufacturers with confidence in marketing their own products. I feel that the current settlement is fair on those grounds.

I trust that the Federal Court will accept the current settlement.

Thank you for having considered my plea.
Respectfully,
Larry Rodgers

MTC-00014093

From: David Leonard
To: Microsoft ATR
Date: 1/20/02 3:49am

This whole suit stinks. Antitrust laws are so perverted that you can get sued for raising price, lowering price, or keeping the price the same. Microsoft did nothing wrong except to revolutionize the way we use computers and they did not pay protection money to big government. DROP THIS CASE!

DRL

MTC-00014094

From: noah read
To: Microsoft ATR
Date: 1/20/02 3:58am
Subject: Microsoft Settlement

i don't pretend to know a lot about the subtleties of law but it is quite obvious to me that the proposed settlement is a travesty to the general public in the prosecution of this monopoly. this settlement serves as nothing more than a slap on the wrist to a company who rose to the top not because of a superior product but because of piracy and cut-throat business practices. this will do nothing to shake the hold that microsoft holds over the computer industry. there are much better products out there who deserve a chance to be seen but because of microsoft's monopoly they never would get the chance. do something to hurt them, something that they will actually feel and that might impact the way they conduct business.

noah read

MTC-00014095

From: Dan Paight
To: Microsoft ATR
Date: 1/20/02 4:36am
Subject: Microsoft Settlement

Microsoft's arrogance never ceases to amaze me. As "punishment" for their illegal and unethical past they are willing to "donate" tons of old PC's and Microsoft CD's into the education market. In any other industry this would be called "dumping."

MTC-00014096

From: Brian Correia
To: Microsoft ATR
Date: 1/20/02 4:57am
Subject: Microsoft Settlement.

This settlement proposal from Microsoft is inadequate and unjust. Reparations should be monetary and large enough to at least partially compensate for damages while also serving as punishment and a deterrent. Under no circumstances should Microsoft be allowed to further damage competition by dumping its products into the education market. This proposal is worse than not good enough, its clearly wrong.

Thank you for requesting my input.

Signed,
Concerned Consumer

MTC-00014097

From: bernita colthorpe
To: Microsoft ATR
Date: 1/20/02 6:37am
Subject: Microsoft settlement

Sirs: I am in great favor of settling this senseless lawsuit. Enough is enough. When someone has a good idea, helpful to the economy, they should not be prosecuted for it. Why can't the courts get onto something important, like upholding enterprising citizens instead of punishing someone able to earn money—rather than winning the jackpot.

Sincerely,
Bernita Colthorpe

MTC-00014098

From: Phil Mitchell
To: Microsoft ATR
Date: 1/20/02 7:44am

Subject: Microsoft Settlement

NO COLLECTION OF SPECIAL-PURPOSE RESTRAINTS CAN ALTER THE STRUCTURAL REALITY OF MICROSOFT'S MONOPOLY OVER THE DESKTOP OS.

I am a programmer, software developer, and entrepreneur. I am writing to say that the proposed settlement is woefully short of addressing the fundamental problem of the Microsoft monopoly. Other people have commented on various technical aspects of the proposed settlement (such as enforceability, etc.), and I won't reiterate those points. The larger problem is that no collection of special-purpose restraints (such as forcing Microsoft to cede OEM desktop control, etc.) can alter the structural reality of Microsoft's monopoly over the desktop OS. That is like negotiating over the size and shape of electrical outlets with the company that owns the electric grid. Microsoft's monopolistic advantage is much broader and deeper than any particular business practice that might be restrained.

What hasn't been discussed publicly is the idea that it is APPROPRIATE for the OS to be treated monopolistically. There is great benefit, for businesses, consumers, and developers, to be had from standardization on a single OS. But we will receive this benefit only if the OS is ADMINISTERED AS A PUBLIC UTILITY, for the common good. Microsoft certainly has not done so. The first step in this direction is to force Microsoft to split off its OS unit from every other business unit.

MTC-00014099

From: Daniel Mark
To: Microsoft ATR
Date: 1/20/02 8:08am
Subject: Microsoft Settlement

I am part of a worldwide network that is working on getting the BeOS or equivalent back into the market place, but there is no hope of success if the following issues aren't addressed: examples: open Office file formats, Win32 APIs, make dual-boot options mandatory etc.

daniel mark

MTC-00014100

From: EAA7110@aol.com@inetgw
To: Microsoft ATR
Date: 1/20/02 8:14am
Subject: Microsoft Settlement

To Whom It May Concern at the Dept. of Justice:

The carping against Bill Gates and Microsoft comes loudest from a couple of ego-maniacs who do the same and would do even more with their own companies if they could. Bill Gates and Microsoft have done what they had to do to succeed in that marketplace against the other sharks in the water.

I support some degree of government regulation of business practices. For the benefit of everyone, these powerful people need to play by some rules. But Microsoft's success has had a beneficial effect in terms of establishing a common platform for most computing. Without that, the benefits of computer technology would not be as widespread as they are, and it would be extremely expensive for businesses and

consumers to accomplish anything across various platforms. Even the fact that there is just one other semi-popular browser besides Internet Explorer has ballooned development costs at the company I work for, where we are making training materials available via the Internet. We'd be so much further along if we didn't have to test and fix everything we did so it would run on two different browsers, and our programs could be so much more engaging if we didn't have to develop to the lowest common denominator of both browsers (which denominator, by the way, is quite a bit lower on the non-Microsoft browser).

Please don't create chaos in the computer industry just so the second-richest megalomaniac in the world can satisfy his selfish desire to be number one. Things were going better for consumers and the economy before the senators from the home states of Microsoft's competitors started skewing the picture by political means. Microsoft's competitors are no more altruistic or deserving than Microsoft. Give us all a break.

Eric Anderson
7110 E. CR 700 N.
Brownsburg, IN 46112

MTC-00014101

From: N. Hagan
To: Microsoft ATR
Date: 1/20/02 8:45am
Subject: SETTLE THE MICROSOFT CASE
Enough already. These so-called "class action" suits are a crime, the anti-trust suit is a waste. It is also moot and detrimental to the industry and our economy. Please, settle this case.

Thank you.

MTC-00014102

From: Roberts, George Gordon
To: Microsoft ATR
Date: 1/20/02 8:47am
Subject: Please break-up the Operating System monopoly!

I would suggest that the following measures be taken against Microsoft:

1. Stop Microsoft from requiring computer manufacturers to place their operating system on all new computers. Presently it is very difficult to find a new system without windows unless you are willing to build it yourself. This excludes about 99% of computer users, and effectively grants Microsoft a monopoly right off the bat.

2. Require Microsoft to be more open with its Operating System code (i.e. the program itself) and File System formats. This would allow other manufacturers to design competing software without a lengthy process of "back-engineering" (that is to say guessing at the contents of what has been up to now a "black box"). Only then can other companies be able to design competing software at a reasonable price. This would benefit Windows users as well by giving them a greater variety of software (that would, incidentally, have fewer bugs as a result of the greater number of people that could correct the program for themselves as a result of being able to spot it in the program code itself).

3. Prohibit Microsoft from forming cartels with hardware manufacturers. Presently,

many pieces of hardware are made to be specifically incompatible with Non-Microsoft operating systems. This is possible because part of the hardware function is replaced by software code that is kept secret by both the hardware manufacturer and Microsoft. Thus, someone wishing to try a Non-Microsoft Operating System often finds that key pieces of their hardware, (such as their modem) does not work, and are thereby forced to endure unnecessary hassle and expense, and thus discouraged from exploring alternatives. George Gordon Roberts B.S., M.S.

1537 Fontaine
Madison Heights, MI 48071

MTC-00014103

From: PVZZZZ@aol.com@inetgw
To: Microsoft ATR
Date: 1/20/02 9:27am
Subject: Microsoft settlement

Hello Ms. Hesse,
Please include my Emil in the file in "protest" of Microsoft's proposed settlement.

I am sure you have heard them all. To allow this would be a gross travesty of justice in regard to the millions of consumers & businesses that benefit and adhere to the law, not because they don't have billions to fight such a suit. But because there collective conscience tells them it's the right thing to do. Thanks for your time.

Best regards,
Paul Zawodny, Consumer/Business owner.

MTC-00014104

From: Don Starns
To: Microsoft ATR
Date: 1/20/02 9:45am
Subject: microsoft settlement

I oppose the settlement I've read about. This only extends the illegal monopoly into our public schools. Microsoft should be fined, and also made to pay serious damages.

Don Starns
215 e 23rd st
Houston TX 77008

MTC-00014105

From: MARLINS840@aol.com@inetgw
To: Microsoft ATR
Date: 1/20/02 10:02am
Subject: microsoft settlement

I would urge the judiciary to seriously consider the acceptance of Microsoft's offer to settle. For over ten years, we have been deluged with propoganda on the value and importance of having computers available to students in low income families. Now, when the government gets the chance to dramatically improve this situation, the judicial system invents ways to hamper real social progress.

MTC-00014106

From: twodogs/etech67
To: Microsoft ATR
Date: 1/20/02 10:15am
1302 18th Street
Tell City, IN 47586
January 19, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I would like to take a moment to express my views regarding the Microsoft antitrust case. I feel that the settlement reached by the Department of Justice was fair and reasonable. It will allow Microsoft to remain the industry leader while granting the competition more chances to compete, and the consumers more choices between products.

Microsoft has agreed to concessions that have made precedent with regards to antitrust cases. Microsoft has agreed to document and disclose for use by its competitors, various interfaces that are internal to the Windows operating system. Also, computer makers have been granted broad new rights to configure Windows so as to promote non-Microsoft programs that compete with programs already included within Windows. It appears that Microsoft has agreed to give up much of its competitive advantage and market share in an effort to conclude this case.

To put it in perspective, it would be ridiculous to see Nike carry the Reebok logo on its most popular products. Microsoft is willing to take on significant restrictions, however, so I will not oppose them. This settlement will bring a much-needed end to this case, and I support it.

Sincerely,
Ellis Howard

MTC-00014107

From: The Galli's
To: Microsoft ATR
Date: 1/20/02 10:18am
Subject: Microsoft Settlement
Please read attached letter as to the Microsoft Case.

Thank You,
John Galli
28821 Trenton Court
Bonita Springs, FL 34134
Thegallis@realtor.md
January 19, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

As a supporter of Microsoft and common sense policies, I write you with concern over the recent developments in the settlement. Not only do I think that the entire process was ridiculous from the beginning, but to go even further and delay the settlement after three years of negotiations is too much. This settlement is part of a very well thought out process and should be enforced immediately. Further litigation will only force our technology industry to fall behind in the global market.

As our economy continues to dip, we need to support our technology industry in any way possible. By supporting this settlement, we allow our technology industry to further focus on innovation. Microsoft has done their part to make drastic changes for this settlement, and now it is our turn. Some of the changes agreed upon are in licensing, marketing and even design. All of which are beneficial to our IT sector as a whole. This is certainly why we need to help support the settlement and get our technology industry back to business. Please help to stop any

further action against this agreement. Let us help support the IT sector and get us back in gear.

As a Nation, we have to move on to more pressing matters and stop beating a "dead Horse". Enough is enough

Sincerely,
John Galli

MTC-00014108

From: M. G. Fred Kick
To: Microsoft ATR
Date: 1/20/02 10:49am
Subject: Microsoft Settlement

I thought the case against Microsoft (there should never been a case) was settled many month ago. Please lets get it over with and settle so we can use the taxpayers money in essential services to the public and Microsoft can get on with further development, bring new products to market and increase the governments tax revenue. Lets get it over with in the publics interest.

Thanks,
M.G. Fred Kick

MTC-00014109

From: PMoraff@aol.com@inetgw
To: Microsoft ATR
Date: 1/20/02 11:12am
Subject: Opinion on disposition of Microsoft action

Dear Sirs:

I am strongly in favor of NOT continuing the action against Microsoft any further. This cannot be good for the economy. I believe the actions already taken were fair and equitable to all concerned and should suffice.

Thank You.
Donna Moraff
4 Haynes Avenue
West islip, NY 11995

MTC-00014110

From: John Ford
To: Microsoft ATR
Date: 1/20/02 11:21am
Subject: Microsoft Letter to Ashcroft
John F. Ford Jr.
Telephone 910-846-2235
E-mail john@j-ford.com
135 Burlington St W
Holden Beach, NC 28462
January 20, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I want to take a moment to express my support for the settlement reached last year between Microsoft and the Justice Department. There is no doubt ending this litigation is in the public's interest and will benefit the computer industry.

The terms of the settlement are comprehensive and require many adjustments to Microsoft's former business practices. One area of change is in the area of intellectual property rights. Microsoft has agreed that if a third party's exercise of any options provided for by the settlement would infringe any Microsoft intellectual property right, Microsoft will provide the third party with license to the necessary intellectual property on reasonable and non-discriminatory terms. Also, any third party

who feels Microsoft is falling short of their obligations can lodge a complaint with a Technical Committee to be formed under the agreement.

The settlement will give a boost to the economy during this current recession. I hope your support for this settlement will continue and no further action will be taken on the federal level.

Sincerely,
John Ford

MTC-00014111

From: Bob Jensen
To: Microsoft ATR
Date: 1/20/02 12:07pm
Subject: Microsoft Settlement

Microsoft definitely needs to be punished for its monopolistic market activities. But they should not be allowed under any settlement agreement to provide free or reduced price computers or software to schools. Apple Computer holds a significant portion of that market and if Microsoft is allowed to provide free or reduced price computers or software, that will only increase Microsoft's market share which is the biggest problem with Microsoft.

CenOreGeoPub
Robert A. Jensen
20180 Briggs Road
Bend, OR 97701
541-389-4275
bjensen@bendnet.com
<http://users.bendnet.com/bjensen/>

MTC-00014112

From: Faulhaber, Bob
To: Microsoft ATR
Date: 1/20/02 12:16pm
Subject: Microsoft Settlement

Dear Sir;

I think it is very important that the Microsoft settlement is accepted. The last thing this country needs now is more litigation on this issues. The antitrust laws should first serve the consumers. The consumers have spoken with their dollars and purchased Microsoft products where they were superior to others in the market and/or at a lower price. Second the antitrust laws are not meant to protect businesses from competition. Those special interest groups and companies who have not be able to successfully compete with Microsoft should work on their own products and company and not ask the Government to hand cuff Microsoft so they can win in the market place. And third, unfettered competition among business generally benefits consumers even if a single firm captures most or all of the market. This is the case in the software market.

The consumer wins and is winning with lower priced better products. Settle this case now and let the high tech software industry get back to helping our economy thrive again.

Robert Faulhaber

MTC-00014113

From: rm212@earthlink.net@inetgw
To: Microsoft ATR
Date: 1/20/02 12:20pm
Subject: Microsoft Settlement

Dear Honorable DOJ,

I am an Information Technologist of nearly twenty years experience.

It is my humble opinion that Microsoft have "the book" thrown at them for their consistant obstruction and abuse with technological progress. Their sheer and overwhelming power dictates Information Technology policy at American business" at a great cost—similar only to a heroin dealer luring potential addicts and doing whatever possible to retain power over the user through manipulating standards, pricing and practices—then by releasing dangerously flawed techology with the hopes that "next time" it will be better. The sheer number of security holes, comparatively over priced software, predatory practices without concern for true innovation and the complete abuse of all that is good in this country disgusts me.

Please don't let them get away with this again. There are many great companies in the US that need to grow, but Microsoft is taking all the sunlight and water away.

Respectfully yours,
Russell Maggio
CC:rm212@earthlink.net@inetgw

MTC-00014114

From: Steve Bouton
To: Microsoft Settlement
Date: 1/20/02 10:07am
Subject: Microsoft Settlement
Steve Bouton
705 Hinman Avenue 2-A
Evanston, IL 60202
January 20, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry.

It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Steve J.B. Bouton

MTC-00014115

From: Alan L. Hansen
To: Microsoft Settlement
Date: 1/20/02 10:12am

Subject: Microsoft Settlement

Alan L. Hansen

124 North 155st

Shoreline, Wa 98133-5926

January 20, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

Alan L. Hansen

MTC-00014116

From: Landon Hundley

To: Microsoft ATR

Date: 1/20/02 11:40am

Subject: Microsoft Settlement

To Whom This May Concern:

This email serves as an objection to The Justice Department's proposed settlement against Microsoft Corporation. Microsoft has been found guilty by 2 courts of illegal practices and violating the Sherman Anti-Trust Act. When AT&T was sued by the Justice Department, the company ultimately agreed to be split into different "baby bells." The settlement was punishment against AT&T. The proposed settlement between the DOJ and Microsoft would be a slap on the wrist and would not punish Microsoft for any of the illegal practices they committed.

Microsoft would not be punished if the DOJ proceeds with this proposed settlement. No one would benefit from this settlement but Microsoft.

Thank you:

Landon Hundley

MTC-00014117

From: Bob

To: Microsoft ATR

Date: 1/20/02 12:56pm

Subject: Microsoft Settlement

To whom it may concern

Microsoft is at it again!

It seems that Microsoft wants to control the 3D API arena in favor of its own Direct3D.

What better way to strangle its mortal enemys (Linux, OSX, etc. . .)

I hope you consider this in your decision to stop this software behemoth from bullying everyone to see their way.

Humberto Ballesteros IT/MIS

From go2mac.com:

Is Microsoft Trying to Kill OpenGL?

Thu, 17 Jan 2002, 07:04

The Register is running a story about how Microsoft has aquired key 3D patents from SGI. 3D technology is not just for video games and immersive systems, but it is also part of the infrastructure that supports important sectors of the economy, such as design visualization and scientific imaging. Such critical infrastructure should be based on open standards, but what happens if Microsoft starts a new round of lawsuits in this arena? What will happen to Mesa3D? It is often very difficult to obtain Apple support for 3D devices, and I wonder what this deal means for Apple users.

MTC-00014118

From: James Wilson

To: Microsoft ATR

Date: 1/20/02 1:05pm

Subject: Microsoft Settlement

Java and its collaborative community provide our company with many value propositions that Microsoft products do not. Working for a small company where every dollar counts, Java is a part of our core strategy set for moving forward. I would hate to see anything help Microsoft continue to hinder companies that choose Java-centric solutions. They have already effected us again this year by taking the Java Virtual Machine out of the browser.

Thanks

James Wilson

Director of Software Engineering

Monsterdaata, Inc.

32 E 31st Street

New York, NY 10016

212.447.2000x45

jwilson@monsterdaata.com

MTC-00014119

From: rodmant@tigris.pounder.sol.net@inetgw

To: Microsoft ATR

Date: 1/20/02 1:09pm

Subject: I disapprove of Proposed Final Judgement in US vs Microsoft

CC: Russell—Feingold@

feingold.senate.gov@inetgw.senate. . .

I'm not a lawyer, but have an Electrical Engineering degree and have been supporting other hardware and software Engineers in computer aided software and hardware design since 1988. I have been involved with computers since 1973.

It means something that I am spending my heartbeats, my time, putting together these comments. They are heart felt; I believe this ruling will adversely affect millions in there daily experience with software; it will impact people's livelihoods- it does matter.

<http://www.linuxplanet.com/linuxplanet/opinions/3952/1/>:

The result is the proposed settlement, which would grant Microsoft its operating system monopoly—indeed, contains wording such that it would no longer be illegal for

Microsoft to r maintain that monopoly—while saying that if Microsoft wants to, it can make it easier for people to write Windows applications, but it's by no means required to do so. In short, the settlement is a travesty, an ill-advised embarrassment that flings down and dances upon the law and upon all but the most twisted notion of justice.

I do not understand why the Department of Justice caved in so easily to Microsoft's demands. I want freedom of choice in the software operating system market! I'm frustrated that for years our department has been paying for Microsoft software on my PC that I never use, don't need, and do not want! IT departments all over the country have been brainwashed into thinking the Microsoft software is the only safe choice-this lemming mentality is foul and counterproductive; we're giving to much power away 'to Microsoft.

As the quote below suggests the Proposed Final Judgement (PFJ), would allow Microsoft to write their code in such a way as to block non-windows operating systems from running it.

<http://kegel.com/remedy/remedy2.html>: the PFJ (itself, in sections III.D. and III.E., restricts information released by those sections to be used "for the sole purpose of interoperating with a Windows Operating System Product". This prohibits ISVs from using the information for the purpose of writing operating systems that interoperate with Windows programs.

By not providing some aid for ISVs engaged in making Windows-compatible operating systems, the PFJ is missing a key opportunity to encourage competition in the Intel-compatible operating system market. Worse yet, the PFJ itself, in sections III.D. and III.E., restricts information released by those sections to be used "for the sole purpose of interoperating with a Windows Operating System Product". This prohibits ISVs from using the information for the purpose of writing operating systems that interoperate with Windows programs. Specifically LINUX has two popular tools "WINE" and "SAMBA" which allow windows software to run on LINUX and Windows users to share files with LINUX boxes. Both of these applications will become illegal and inoperable under the PFJ if understand it correctly. This would be a severe blow to the viability of LINUX as a competitive OS to windows. Please ammend the settlement to protect the viability of "WINE" and "SAMBA".

<http://kegel.com/remedy/remedy2.html>:

Section III.A.2. allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

Sections III.F. and III.G. of the PFJ prohibit certain exclusionary licensing practices by Microsoft towards ISVs. I want to be able to buy a PC with out any Windows software loaded, and with out paying a dime to Microsoft. Apparently the PFJ allows Microsoft to "retaliate against any OEM that ships Personal Computers containing a competing Microsoft operating system". I object to this! The below excerpt strikes me as direct discrimination against open source software by Microsoft. Microsoft is

specifically preventing ISVs from bundling code they create with the Microsoft Windows Media Encoder 7.1 SDK (software development kit) together with any open source software. This strongly limits the ability of open source software applications to compete with Microsoft. I do NOT understand how this is not outlawed and in fact may be condoned by the PFJ. See excerpt below:

<http://kegel.com/remedy/remedy2.html>:

However, Microsoft uses other exclusionary licensing practices, none of which are mentioned in the PFJ. Several of Microsoft's products' licenses prohibit the products' use with popular non-Microsoft middleware and operating systems. Two examples are given below.

1. Microsoft discriminates against ISVs who ship Open Source applications. The Microsoft Windows Media Encoder 7.1 SDK EULA states . . . you shall not distribute the REDISTRIBUTABLE COMPONENT in conjunction with any Publicly Available Software. "Publicly Available Software" means each of (i) any software that contains, or is derived in any manner (in whole or in part) from, any software that is distributed as free software, open source software (e.g. Linux) or similar licensing or distribution models . . . Publicly Available Software includes, without limitation; software licensed or distributed under any of the following licenses or distribution models, or licenses or distribution models similar to any of the following: GNU's General Public License (GPL) or Lesser/Library GPL (LGPL); The Artistic License (e.g., PERL); the Mozilla Public License; the Netscape Public License; the Sun Community Source License (SCSL); . . . Many Windows APIs, including Media Encoder, are shipped by Microsoft as add-on SDKs with associated redistributable components. Applications that wish to use them must include the add-ons, even though they might later become a standard part of Windows. Microsoft often provides those SDKs under End User License Agreements (EULAs) prohibiting their use with Open Source applications.

This harms ISVs who choose to distribute their applications under Open Source licenses; they must hope that the enduser has a sufficiently up-to-date version of the add-on API installed, which is often not the case.

Applications potentially harmed by this kind of EULA include the competing middleware product Netscape 6 and the competing office suite StarOffice; these EULAs thus can cause support problems for, and discourage the use of, competing middleware and office suites. Additionally, since Open Source applications tend to also run on non-Microsoft operating systems, any resulting loss of market share by Open Source applications indirectly harms competing operating systems.

2. Microsoft discriminates against ISVs who target Windows-compatible competing Operating Systems. The Microsoft Platform SDK, together with Microsoft Visual C++, is the primary toolkit used by ISVs to create Windows-compatible applications. The Microsoft Platform SDK EULA says: "Distribution Terms. You may reproduce and distribute . . . the Redistributable

Components. . . provided that (a) you distribute the Redistributable Components only in conjunction with and as a part of your Application solely for use with a Microsoft Operating System Product. . . " This makes it illegal to run many programs built with Visual C++ on Windows-compatible competing operating systems. By allowing these exclusionary behaviors, the PFJ is contributing to the Applications Barrier to Entry faced by competing operating systems. Microsoft willfully acts to thwart competition using what in my opinion are the software equivalent of "dirty tricks"; they have demonstrated this behavior more than once, why does the PFJ show so much trust in Microsoft- they not to be regulated; they can NOT be trusted:

<http://kegel.com/remedy/remedy2.html>:

3. Microsoft created intentional incompatibilities in Windows 3.1 to discourage the use of non-Microsoft operating systems. An episode from the 1996 *Caldera v. Microsoft* antitrust lawsuit illustrates how Microsoft has used technical means anticompetitively. Microsoft's original operating system was called MS-DOS. Programs used the DOS API to call up the services of the operating system. Digital Research offered a competing operating system, DR-DOS, that also implemented the DOS API, and could run programs written for MS-DOS. Windows 3.1 and earlier were not operating systems per se, but rather middleware that used the DOS API to interoperate with the operating system. Microsoft was concerned with the competitive threat posed by DR-DOS, and added code to beta copies of Windows 3.1 so it would display spurious and misleading error messages when run on DR-DOS. Digital Research's successor company, Caldera, brought a private antitrust suit against Microsoft in 1996. (See the original complaint, and Caldera's consolidated response to Microsoft's motions for partial summary judgment.) The judge in the case ruled that "Caldera has presented sufficient evidence that the incompatibilities alleged were part of an anticompetitive scheme by Microsoft." That case was settled out of court in 1999, and no court has fully explored the alleged conduct.

The PFJ as currently written does nothing to prohibit these kinds of restrictive licenses and intentional incompatibilities, and thus encourages Microsoft to use these techniques to enhance the Applications Barrier to Entry, and harming those consumers who use non-Microsoft operating systems and wish to use Microsoft applications software. My understanding of Microsoft's latest operating system is that it has become more and more "paternal" and intrusive—father Redmond knows what's best for you, and will learn all about you. . an arrogant and disrespectful attitude. .

My view is that Microsoft has stifled innovation. They have taken years and years to catch up to the competition in robust reliable operating systems. They have not won because they create the best products, they win because of their dirty tricks, and excellent marketing. In general I view their software as a closed black box filled with bugs, and users pay Microsoft

to fix them. The process of debugging their software takes years of end users time and is very frustrating.

In contrast my experience with Open Source software (GNU tools and LINUX), and with Hewlett Packard or SUN UNIX has been wonderful. Please see <http://kegel.com/remedy/> for additional links. regards,
—Tom Rodman <trodman@nyx.net>
2811 S Wentworth Av
Milwaukee WI 53207

MTC-00014120

From: Bill Meyer

To: Microsoft ATR

Date: 1/20/02 1:40pm

Subject: Tunney Act Comments: Objections to the Proposed Microsoft Settlement.

CC: william, delahunt@mail.house.gov@inetgw.G Office@sta. . .

To: U.S. Department of Justice

(microsoft.atr@usdoj.gov)

From: William M. Meyer

Re: Proposed Final Settlement in *United States v. Microsoft Corp.*

I'm writing to protest the proposed settlement with Microsoft in *United States v. Microsoft Corp.*, under the provisions of the Tunney Act (Antitrust Procedures and Penalties Act, 15 U.S.C. § 16). As a professional in computer, with over 20 years of experience in computer networking and Internet development, I believe that the proposed settlement is fundamentally flawed and will fail completely to address the root level problems that the Microsoft Windows monopoly poses to this country.

In short, I don't believe that the proposed settlement provides adequate redress to American businesses and consumers for the real and tangible damages that they have suffered due to Microsoft's illegal abuse of its Windows monopoly, nor will the proposed settlement ensure that Microsoft doesn't continue its illegal business practices in the future. The finalized outcome of *United States v. Microsoft Corp.*, 87 F. Supp.2d 30 (D.D.C. 2000) will have lasting, substantive and historical consequences on American businesses, individuals and the future effectiveness of antitrust law in the United States.

The proposed final settlement does not demonstratively provide of the claimed benefits to consumers as stated in the Proposed Final Judgement. In addition, it offers little or no relief or restitution to the American Businesses and individuals who comprise the victims of its illegal abusive practices. The Final Proposed Settlement should be rejected and, absent a completely new Settlement Proposal from the Defendant, the Court should continue with the Penalty Phase of *United States v. Microsoft Corp.* towards the goal of achieving a settlement or judgement that adequately and permanently addresses these issues.

I offer the following arguments to the Court in support of my request to reject the Proposed Final Settlement.

Microsoft's Monopoly gives it undue political and economic influence and threatens compliance. The de facto monopoly of the Windows operating system and Office business suite makes the majority of the American businesses and individuals

dependent on these products in the course of their daily activities. Thus, everything related to the Microsoft Windows products almost immediately impacts the majority of our institutions. This, in itself, is an enormous problem with potentially devastating consequences for our Country, freedoms, privacy and well being. The pervasiveness of Microsoft's Monopoly and America's current dependence on Microsoft's products prevents the Proposed Final Settlement's ability to deliver on every point of the OVERVIEW OF THE RELIEF section of the Competitive Impact Statement in that every action in takes will necessarily have huge significance to American Businesses and individual consumers and the ability of the Government to react effectively after the fact in restraining Microsoft's actions will be practically impossible. This is evidenced already in the significant business actions Microsoft has already taken during the course of United States v. Microsoft Corp. which are not addressed by the Proposed Final Settlement. In short, by the time the proposed regulatory system can react, to an action by Microsoft, the result will be a fait accompli. Technology in general, and Microsoft in particular move to fast to be effectively regulated under the proposed agreement. The Windows XP and Microsoft .Net are two relevant examples of Microsoft technology that has outstripped the proposed relief before it is even in place. The fact that nine states have rejected the proposed settlement suggests that Microsoft's political power is influencing the DOJ to accept a settlement that is not in the interests of those states in the opinion of their Attorney's General. Window XP and Microsoft .Net vastly extend Microsoft's monopoly. The case itself has proven that Microsoft illegally abused it's monopoly in the past to the detriment of it's customers and the American public. In the time since that ruling, Microsoft has embarked on the most ambitious and aggressive expansion of its business areas in its history. The Windows .Net platform is designed from the bottom up to be a required participant in every business transaction conducted online. Whether they achieve that goal or not will only be known in the fullness of time, but the fact is that they are putting every resource they can towards that end. This point directly addresses the Proposed Settlement's OVERVIEW OF THE RELIEF points: 1, 2, 3, 4, 6, 7 & 8.

In addition, it violates the spirit of the Proposed Final Solution which, "... seeks to eliminate Microsoft's illegal practices, to prevent recurrence of the same "or similar practices and to restore the competitive threat that middleware products posed prior to Microsoft's unlawful conduct. " The Microsoft Windows monopoly hurts American productivity. An equally serious problem is the increasing cost to American business and individuals of Microsoft's predatory business practices. The constant stream of required updates, patches, and new releases of Microsoft products is a constant and expensive drain on the American economy. At the same time that most businesses are increasingly dependent on Microsoft products, they are finding that the financial and productivity costs of these

products to be increasing dramatically. This trend will only increase as the pervasiveness of the Microsoft Windows platform increases and it represents an unfair abuse on Microsoft's monopoly on American businesses and individual consumers. Microsoft's the cost of Microsoft Windows products, as they relate to end users is not addressed at all in the Proposed Final Settlement, but any settlement or judgement that is to provide effective relief must address these issues.

Microsoft's New Licensing Practices are abusive. The Proposed Final Settlement, Section III A discusses measures to protect OEM's from predatory and anticompetitive practices by Microsoft. It is an irreparable flaw in the Proposed Final Settlement that it doesn't address these same protections for American business and individual consumers of Microsoft products. A current example of Microsoft's abuse in this area is it's aggressive campaign to proactively police product licensing within it's user base. Through it's own efforts and through proxy groups like the SBA, Microsoft has become an increasingly intrusive and hostile presence in the American business community via their costly, time consuming and abusive "Licensing Audit," and "Amnesty," programs. These practices directly target business and individual consumers of Microsoft products using a "guilty until proven innocent," premise and the thinly veiled threat of legal action to force compliance via expensive and time consuming software audits. These programs reveal a complete disdain for American businesses and consumers that is unprecedented historically.

Compliance itself is a vague and shifting target due to the constantly changing nature and terms of Microsoft's software licensing policies. A complete and confident understanding of the licensing agreements accompanying most Microsoft products is, literally, impossible for anyone without a sound knowledge of contract law. At the same time, laws such as the UCITA are increasing the enforceability of these shrink wrap license agreement. Microsoft has publicly announced that it intends to shift its emphasis from a User License Agreement to a Subscription-based model wherein they will receive regular required payments from users of their products and have the ability to force upgrades on their user base at will. Speaking as a computer professional and a consultant representing a variety of business and individual clients, I can say that no one I know thinks such an arrangement would benefit them or their business. This issue must be addressed with effective and permanent relief in any final settlement or judgement. National Security could be compromised by the Microsoft Monopoly.

Finally, although it is not addressed explicitly in the Proposed Final Settlement, the real and significant threat to National security must be considered in any settlement or judgement of United States v. Microsoft Corp. Many computer professionals and security experts believe that we will soon face a terrorist attack that focuses and is waged against our information systems and national Internet infrastructure.

They are basing their believes on their daily experience in coping with the virtually continuous computer virus attacks that are focused on Microsoft products and which exploit programming flaws in these software applications. In point of fact, any objective review of Microsoft's security performance would have to conclude that they are not capable of producing a secure version of their operating system. Their most recent release, Windows XP was vigorously touted by Microsoft as their most secure version yet. This seems almost whimsical in retrospect in that reality of Windows XP since its public release has been the announcement of one security-related bug after another. This has culminated with the recent UniversalPlug&Play bug which allows a hacker to take complete control of a Windows XP system and do anything that the authorized user could do. The security flaws in Microsoft Windows cost American businesses and individuals billions of dollars in lost productivity, untold aggravation and are potentially disastrous in the event of a determined terrorist attack. Anyone familiar with the technical debate on Windows security will confirm the potential for a DDoS attack against Windows XP that could conceivably shut down the Internet in America. As a monopolist, Microsoft should be subject to legal liabilities for the direct losses incurred through the use of it's faulty products. This issue is not addressed in the Proposed Final Settlement, but it must be considered in any effective and permanent settlement.

Summary, Conclusions and Request to the Court In summary, I believe that the Proposed Final Settlement does not "... provide a prompt, certain and effective remedy for consumers by imposing injunctive relief to halt continuance and prevent recurrence of the violations of the Sherman Act by Microsoft that were upheld by the Court of Appeals and restore competitive conditions to the market." The consequence of the adoption of the Final Proposed Settlement would result in the continued abuse of the Microsoft Windows monopoly and further damage to American business and individual consumer. For a multitude of reasons this cannot be allowed to happen. The United States v. Microsoft Corp. may be the best chance that we will ever get to effectively solve this problem and rectify Microsoft's abuse of it's Windows Monopoly.

For the reasons stated in the body of this message, and others, I encourage the Court to unequivocally reject the current propose Settlement and begin the penalty phase of the case again with the stated goal of providing adequate redress to American business and individual consumers of Microsoft products and to ensure that the illegal monopolistic actions Microsoft has been convicted of will not reoccur ever again.

Thank you for your consideration,
Bill Meyer
President, The Meyer Group
16 Jae Road
Falmouth, MA 02114
508.457.5558
bmeyer@ucsd.edu

MTC-00014121

From: Dendra Best
 To: Microsoft ATR
 Date: 1/20/02 1:46pm
 Subject: Microsoft Settlement
 To Renata B. Hesse

Dear Ms. Hesse,
 I would like to comment on the proposed settlement. I have grave concerns that the terms merely allow Microsoft to further imbed its products into the education and library cultures. I have first hand experience of the restrictions placed on use of so called Gates Foundation donations of CPU's which come pre loaded and unable to be added to with anything other than MS products!

They are currently proposing a Gates Foundation project which will effectively create another monopoly of State Library systems on line data bases and delivery of "technology", substitute MS and CISCO, training for library staffs. While it is certainly true that other vendors such as Dell and Apple offer alternatives—it is almost impossible to match the MS juggernaut!
 Dendra Best

MTC-00014122

From: Paul Stanley
 To: Microsoft ATR
 Date: 1/20/02 1:30pm
 Subject: Microsoft Settlement

The Honorable Kollar-Kotally,
 I am writing this email as both a concerned citizen and a past observer of Microsoft's business practices in the PC industry while I was employed by Hewlett-Packard.

I am concerned that the proposed final judgment currently under review does not adequately protect the public or private enterprise from the power that Microsoft has and uses as the de facto monopolistic PC operating system provider. My concerns include the following points:

1) Enforcement mechanisms are administratively complex and lack the ability to impose sufficient penalties on Microsoft, enabling future unbridled behavior by Microsoft due to the disproportionate magnitude and timeliness of possible penalties.

2) Admitted violations are not sufficiently accounted for. This sends a clear signal that the risk/reward ratio for monopolistic behavior is clearly biased towards exercising it.

3) Anti-competitive behavior is not adequately defined or restricted, leaving far too many loopholes for Microsoft to continue their monopolistic manipulation of both mature and emerging technologies. When potential financial gain of new, innovative technology companies is reduced through such behavior, capital ceases to flow to where the US economy has its greatest potential return. Any judgment needs to do a much better job around issues such as middleware bolting and communication protocols, manipulation of emerging standards such as Java, and financial arrangements that prevent Microsoft customers from supporting other competitive software.

Thank you for your consideration of these points.
 Paul Stanley

1771 Via Cortina
 San Jose, CA 95120
 650.417.2059 x5738
 CC:microsoftcomments@doj.ca.gov@inetgw

MTC-00014125

From: Leo Kreymborg
 To: Microsoft ATR
 Date: 1/20/02 2:18pm
 Subject: Microsoft Settlement

I would like to voice my great disappointment at the proposed settlement with Microsoft Corporation. This settlement has no potential for reversing the suffocating control that Microsoft has over end users and software developers.

It used to be just a few short years ago that users had some choice when it came to applications. WordPerfect, for example, formally the preeminent word processor, was destroyed by Microsoft predatory practices. After almost eliminating WordPerfect from the marketplace, Microsoft finished the job by buying 25% of Corel, the publishers of WordPerfect. It is no surprise that WordPerfect for Unix platforms has since been discontinued. Time after time, Microsoft has destroyed competing companies by hiding the details of the operating system from them, bundling software, purchasing competitor's companies, and many other practices designed to eliminate the competition.

Microsoft's latest moves to force registration of its software and operating system, compel business users into operating system upgrades, and its moves toward yearly licensing fees are typical monopolistic practices: once the competition has been eliminated and the customers have no choice, compel them to pay more for your product.

Microsoft has monopolized the operating systems, all the popular applications, and the internet browser. It is further extending its stranglehold on the computer industry by licensing one of its proprietary programming languages, Visual Basic, for use in unrelated 3rd party applications. 3rd party developers, not wishing to be left without good connectivity to Microsoft Windows, are coerced to license Visual Basic for use in their applications. Microsoft thereby extends its reach and control over the industry it yet another way. It am quite saddened that this proposed settlement has no potential for remedying this situation. Except for a valiant few who use Linux and other alternatives, that vast majority of businesses, individuals, developers, and government agencies are essentially forced to use the myriad array of Microsoft products. The entanglement of the operating system, the software, the browser, and the programming languages make disconnecting any one of them difficult, and makes switching all of them almost impossible for most users.

Microsoft is a monopolistic predator whose practices are destroying innovation, and essentially extorting billions of dollars annually from users and government agencies. I implore you not to permit this settlement to go forward, and to take forceful action against Microsoft on behalf of the American people.
 Leo Kreymborg

San Diego, California
 atomicage@yahoo.com

MTC-00014126

From: Jeff Wolfe
 To: Microsoft ATR
 Date: 1/20/02 2:23pm
 Subject: Microsoft Settlement

The government wore ol Bill down, so he took the expedient way out. The whole prosecution was typical of government penalizing those who are successful. Microsoft has money so the government went after him until he gave up. The whole situation makes me ashamed of my country.

MTC-00014127

From: Shirlain Kramlich
 To: Microsoft Settlement
 Date: 1/20/02 1:51pm
 Subject: Microsoft Settlement
 Shirlain Kramlich
 6024 N. Country Lane
 Aberdeen, SD 57401
 January 20, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
 Shirlain Kramlich

MTC-00014128

From: Jerry Proud
 To: Microsoft Settlement
 Date: 1/20/02 12:15pm
 Subject: Microsoft Settlement
 Jerry Proud
 Rt. 1 Box 67
 Marsing,, ID 83639
 January 20, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,
Jerry Proud

MTC-00014129

From: Mike (038) Sherri Unger
To: Microsoft ATR
Date: 1/20/02 2:29pm
Subject: Microsoft Settlement

Ladies and Gentlemen:

I have read the proposed settlement between US DOJ, the nine states and Microsoft. I fully support the proposed agreement. I believe the agreement is tough, reasonable and fair to all parties involved. The enforcement provisions of the agreement are sufficient to ensure Microsoft complies with the agreement. All of the states involved in this litigation should be held to this agreement. Most of all I believe it will benefit consumers. It is time to move beyond litigation on this matter. This case has adversely affected consumers because of its negative impact on the U.S. economy. In addition, it has taken away from the industry's ability to innovate and make our future brighter. The problem with the technology industry is not Microsoft but AOL, SunMicrosystems and Oracle.

Their CEOs continuous harping on Microsoft is uncalled for and is hurting the industry. It is hurting the industry's innovation and reputation. The rhetoric from the above companies is getting old. The reason Microsoft is leading the industry in so many ways is their creativeness and innovation. If the above CEOs would spend more time concentrating on their products rather than their perceived enemies they would be better off. So would the consumers!!

Thanks for the opportunity to comment on the Microsoft settlement. I hope the judge approves the settlement.

Michael A. Unger

MTC-00014130

From: Charles R. Biggs
To: Microsoft ATR

Date: 1/20/02 3:36pm
Subject: Microsoft Settlement

Regarding Microsoft and the proposed settlement;

Microsoft is a monopoly. The District Court found that Microsoft is a monopoly and the Appeals Court agreed. Microsoft is still acting as a monopoly. As an example I offer my purchase of Turbo Tax, which is a program for completing the 1040 tax forms and calculating the amount of tax due. I purchased this program in September 2001 and it was delivered in December. When I loaded the program I was forced to load Microsoft Windows Internet Explorer version 5.5. I had no choice I had to accept this program with the Turbo Tax program. I was given a choice whether or not I wanted to load the latest AOL program. This practice is called "bundling". It was my understanding that Microsoft had been ordered and had agreed to stop this sort of activity. But here it is again and this is typical of Microsoft's monopolistic attitude.

The proposed settlement does nothing to stop Microsoft from continuing this practice. In fact it will damage the market which the Apple Computer Company has developed in the schools. The 12,000, used, rebuilt, computers which Microsoft will give to the nations schools under the settlement will be loaded with the Microsoft operating system plus all of the other Microsoft programs such as Internet access, word processing and spreadsheet. The children using these computers will become accustomed to the Microsoft system, related programs and will in the future be reluctant to switch to other systems or programs. The proposed settlement is a sham and it is my hope that it will be rejected.

Any suggestion that the proposed settlement is "fair and reasonable" is a sham I consider this unfortunate. Microsoft has all most destroyed Netscape an Internet access company which competes with Microsoft's Internet access because it has bundled its access program in with its operating system. This was not necessary and their statements to the contrary in my opinion were false. There were other programs written by other software manufacturers which Microsoft overpowered by bundling such as the Lotus word processing and spread sheet programs. They, in my opinion, did this by making it difficult for someone like me to install these programs and building in quirks which made these competing programs difficult to operate.

To repeat Microsoft is and under the proposed settlement will continue to be a monopoly and the settlement does nothing to punish Microsoft for its past actions and does nothing to keep it from acting as a monopoly in the future. This will damage competition for the development of new operating systems and innovative programs.

I appreciate this opportunity to comment on the proposed settlement.

Charles R. Biggs

MTC-00014131

From: Justin Sevakis
To: Microsoft ATR
Date: 1/20/02 3:48pm
Subject: Microsoft Settlement

This proposed settlement would reward Microsoft by giving them an unfair advantage over Apple by extending market share over the educational market. It does nothing in regards to the complaints lodged against Microsoft, and simply seems to provide them with an outlet for surplus refurbished product and a tax write-off.

AGAINST Microsoft's proposed settlement.
Justin Sevakis
jsevakis@earthlink.net

MTC-00014132

From: William Kroll
To: Microsoft ATR
Date: 1/20/02 3:51pm
Subject: Microsoft Settlement
Department of Justice:

Microsoft is a powerful force. Whatever judgment is dealt, it must be swift and severe enough to genuinely affect this monopoly.

Sincerely,
William Kroll

MTC-00014133

From: badlunch
To: Microsoft ATR
Date: 1/20/02 4:35pm
Subject: Microsoft
January 20, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

The purpose of this letter is to go on record as supporting the settlement that has been reached between Microsoft and the Department of Justice. I am relieved to see that both sides could come to an agreement and settle the antitrust issue.

The proposed settlement is fair and reasonable, and the time has come to put this matter to rest. Millions of dollars have been spent, and valuable time has been wasted in the pursuit of the Microsoft Corporation. I feel that the settlement will open-up the IT industry, foster competition, and improve the economy. Microsoft has agreed not to retaliate against competitors who produce, promote, and ship software that competes with Microsoft's. This is a giant step in the right direction since companies will not have to worry about angering Microsoft.

I support this settlement, and hope that it is approved as soon as possible.

Sincerely,
Mike Skasko
3323 Grovewood Avenue
Parma, Ohio 44134

MTC-00014134

From: Klatat@aol.com@inetgw
To: Microsoft ATR
Date: 1/20/02 4:28pm
Subject: Fwd: Microsoft Settlement
DoJ, To Whom It May Concern:

The following is the opinion of a concerned citizen, consumer and Microsoft shareholder. Thank you for inviting comments during the Tunney Act review period regarding the proposed settlement of the Microsoft antitrust matter. The provisions of the agreement have been overwhelmingly accepted by the American public at large and by the consumer in general. It now is time to move on and let the matter rest. The

American consumer deserves to have the matter settled. To continue with this extended legal maneuvering is a disservice to us all. No company or its customers and shareholders should be held hostage by 9 State Attorney Generals. Political ambition or personal feelings should not be a reason to disrupt the normal conduct of business. Not once during the entire Antitrust proceedings was it proven that Microsoft harmed the consumer. However it is apparent to many of us that Microsoft competitors and the individual States they are located in are using the system to circumvent competition in the open marketplace. Let Microsoft conduct business without outside interference. A complete settlement without the threat of continued litigation would be a tremendous boost to our economy in this time of recession. Let the consumer in an open marketplace determine what is best.

Sincerely,
Klaus Landweer
2113 182nd Ave NE
Redmond, Wash 98052
425-641-8664 or 480-895-3641
Email: Klacat@aol.com

MTC-00014135

From: G. Keith Hall
To: Microsoft Settlement
Date: 1/20/02 2:09pm
Subject: Microsoft Settlement
G. Keith Hall
11525 E. Meadow St
Moorpark, Ca 93021
January 20, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:
The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
G. Keith Hall

MTC-00014136

From: Donna Rott
To: Microsoft Settlement

Date: 1/20/02 3:07pm
Subject: Microsoft Settlement
Donna Rott
1000 Co. Rd. 1400 N
Henry, IL 61537-9438
January 20, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Mrs. Donna L. Rott

MTC-00014137

From: Chuck Tudor
To: Microsoft Settlement
Date: 1/20/02 3:10pm
Subject: Microsoft Settlement
Chuck Tudor
340 Northside Drive
Shelbyville, KY 40065-8960
January 20, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:
The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Chuck Tudor

MTC-00014138

From: Carl Rott
To: Microsoft Settlement
Date: 1/20/02 3:06pm
Subject: Microsoft Settlement
Carl Rott
1000 Co. Rd. 1400 N
Henry, IL 61537-9438
January 20, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

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Thank you for this opportunity to share my views.

Sincerely,
Mr. & Mrs. Carl Rott

MTC-00014140

From: Ken Hahn
To: Microsoft ATR
Date: 1/20/02 5:07pm
Subject: Microsoft Settlement

Thank you for the opportunity to contribute. I have a suggestion that would be easy to implement, not involve any break up of Microsoft and would eliminate a settlement that is essentially an advertising gimmick. Since Microsoft has illegally built and maintained a monopoly. And since they have admitted this. And since their recent behavior has continued the practices for which they were sued. It is obvious Microsoft has hidden behind the law and will not participate in any real settlement. I suggest that the tool used to establish and maintain the monopoly be denied them. Just void the patents used for this purpose. I would believe

all patents involving the windows operating system are involved.

Thanks again,
Kenneth G. Hahn
447 W. Madison Avenue
Placentia, CA 92870
(714) 528-1362
kgahn@earthlink.net

P.S. I am a Macintosh user and would not benefit in any way from a cheaper Windows OS. I do admit that I have no love for Microsoft and feel they have abused their position.

MTC-00014141

From: Matt Lindauer
To: Microsoft ATR
Date: 1/20/02 5:09pm
Subject: Microsoft Settlement

Honorables,
It has come to my attention that Microsoft has recently acquired fundamental patents for 3D graphics technology and techniques from SGI. This is a dangerous situation, as it grants Microsoft significant leverage over the independent 3D hardware manufacturers who are currently supporting the only rival to Microsoft's Direct3D graphics API, OpenGL.

Microsoft has in the past worked to delay and distract advances in 3D graphics technology, such as in the abortive "Fahrenheit" plan with SGI in the 1990s. During that period, SGI was transitioning from selling Unix-only workstations to begin selling workstations running Microsoft's Windows NT.

At the same time, OpenGL was gaining on Microsoft's Direct3D in terms of features, hardware support, and developer support. If SGI wanted to sell NT boxes, SGI would have to agree to the Fahrenheit plan. The perfectly timed Fahrenheit deal slowed that advance of OpenGL by, among other things, reducing SGI's active promotion of it, and allowed Microsoft's Direct3D to gain a strong lead.

Yet OpenGL support still survived due to the interest of software developers and the support of third party 3D hardware manufacturers. This latest move by Microsoft to acquire core 3D technology patents would finish the hatchet job, granting Microsoft the power to force third party 3D hardware manufacturers to drop support for OpenGL, and ultimately stifle competition and innovation in the marketplace.

Please do not let this come to pass.

Thank you,
Matt Lindauer
www.mshift2.com

MTC-00014142

From: JERRY FOCHLER
To: Microsoft ATR
Date: 1/20/02 5:14pm
Subject: MICROSOFT SETTLEMENT

The Microsoft case should be settled based on the facts already heard. It is for the good of the public and the business community. Thank you for your consideration.

Jerry T. Fochler
233 Scottwood Ave.
Elmira Heights, Ny, 14903

MTC-00014143

From: Marv Graham
To: Microsoft ATR

Date: 1/20/02 5:18pm
Subject: Microsoft settlement

I can not stand by a let those who are not inside the software "industry" as I am blather on about how Microsoft did not take any steps to suppress and/or eliminate competition.

OK, I'm a software techo-geek. I've been writing, using, and debugging software for 42 years. Most of those years were spent writing compilers, compiler building tools, and related utility programs like debuggers, linkers, and assemblers. In one of my previous jobs, we wanted to port a C compiler to the Windows environment. It compiled code that ran twice as fast as that compiled by the latest and greatest Microsoft offering. Our problem was that we had to take heroic measures to test our compiled code. Why? Microsoft will not and will not release the specifications of the object code that their system supports - the format that their linker accepts and their libraries contain.

Other compiler teams have faced the same problem. Some with deeper pockets than ours reverse engineered the Microsoft object code formats. That worked fine until Microsoft "improved" the formats, requiring another round of reverse engineering. Eventually, most gave up—just as Microsoft intended.

Who loses? Everyone who wants to create efficient programs to run in the Windows environment. First hand, that's not many of you, but second hand, as users of the programs that are available, that's most of you out there. Oh sure, there's the example of Borland, who bit the bullet and created their own complete closed system with its own unique set of file formats and libraries. One counter example with very deep pockets. All of the others eventually have given up chasing a sequence of "new and improved" Microsoft secret file formats. I'm sure that there are those in other niches of the software world who can tell similar stories about the Microsoft predator. Let's hear them!

Then there's Windows, or is that Windoze? It is the most bug ridden, unstable, sophomoric, "designed" by trial and error, half-baked piece of crap that masquerades as "operating system" that I've seen in my 42 years in the industry. I could go on and tell you what I really think!

Windoze usually hangs trying to shut itself down. Often, a crashing program destroys system information. One that I see a lot is that the ESCAPE key's meaning is altered. Guess what the "solution" is. Yep, yet another reboot. This on a machine that has hardware to protect the data of one program from all other programs! The "system" doesn't even protect its own vital data! It stores vital resource use information in fixed size 65,536 byte buffers. Program crashes often trash even them. Normal use overfills them.

As far as I'm concerned, UNIX is "the" operating system. OS/2 was great (after its initial teething problems) until Microsoft cut IBM off from the details of Windows 95 that they needed to be able to run the new generation of Microsoft tools—like Word and Excel. Denial of information necessary to competitors. Does that sound familiar?

I say, break up Microsoft, and make the various parts tell the others and all aspiring competitors the details of the file formats and API's. How many pieces? At least three: Windows, Applications, and Development Tools.

MTC-00014144

From: Steve Lee
To: Microsoft ATR
Date: 1/20/02 5:57pm
Subject: Microsoft Settlement
Dear Sir or Madam:

With regard to the Microsoft Antitrust settlement, I feel that an equitable solution would be to set up a trust fund managed by a third party. This fund ought to distribute grants to schools for the purchase of computing hardware. Such a settlement would allow educators to determine what resources are most needed on a per-case basis.

-Steve Lee

MTC-00014145

From: David B. Crawley
To: Microsoft ATR
Date: 1/20/02 6:09pm
Subject: Microsoft Settlement

I am a Microsoft customer/consumer. This lawsuit is not about protecting consumers. It is a vicious attempt by jealous competitors to destroy a fantastic company that has innovated incredible computer products that have changed our lives at very reasonable prices. A common operating system is crucial for software development and communications between computers. Microsoft had provide us with this system. It infuriates me that my tax dollar is being used to prosecute this fine American company.

David B. Crawley
12712 471st Ave. SE
North Bend, WA 98045

MTC-00014146

From: Dan Evans
To: Microsoft ATR
Date: 1/20/02 6:24pm
Subject: Microsoft Settlement

I am one of many U.S. citizens deeply disappointed by the proposed settlement between DoJ and Microsoft. As a computer professional for more than 15 years, I have used Microsoft products extensively and watched closely their behavior and actions. Based on both my own observations as well as the findings of this case, it is very clear that Microsoft is not only a monopoly but that it has consistently and repeatedly abused its monopoly position. Furthermore, when it has been called to task for illegal or inappropriate practices in the past, it has failed to end its basic unfair trade practices but has instead simply found new ways to continue its desire and intent to maintain firm control over the desktop computer industry. This control has consistently stifled innovation and competition, directly harming computing practices in this country as well as around the world.

I believe that the proposed settlement will contribute directly to a stagnation of computing growth and innovation that has been very evident in the industry for the last 3 to 5 years.

The best remedy would be to 1) fully split the company into two separate operations, one covering operating systems and one covering applications and development tools; and 2) release the full source code for the Windows 2000 and Windows XP operating systems to the public domain thereby allowing others to demonstrate what innovation and improvements are possible via freely shared ideas and knowledge.

> Daniel Evans
9607 165th St Ct E
253.841.0819

MTC-00014147

From: FVandeB@aol.com@inetgw
To: Microsoft ATR
Date: 1/20/02 6:26pm
Subject: Microsoft Antitrust lawsuit
Antritrust Division
U.S. Department of Justice
Washington, DC

The proposed settlement in the Microsoft anti-trust case specifically addresses every key finding of the Appeals Court. As a citizen of Washington state, I am especially interested in having this settlement approved. Competitors of Microsoft who cannot compete with this highly successful company on a level playing field continue to try to cause its death by litigation. Failure to approve the proposed settlement would hurt not only Washington's economy but that of the nation. Microsoft's ability should be praised for its beneficial effect on consumers. Florence A. Vande Bogart, Esq.
8904 NE 32nd Ave.
Vancouver, WA 98665

MTC-00014148

From: Sujit Itty
To: Microsoft ATR
Date: 1/20/02 6:36pm
Subject: Microsoft Settlement

Dear Honorable Judge,
As an immigrant from India, I am well aware of the effects of one business taking over an entire section of the market. While India is technically a free market economy, there is so much corruption, that many sections of the market have been monopolized. Often, it leads to one small group of men who become very wealthy, while the rest of the population cannot even afford the products. While they may claim to keep prices low, they will find loopholes and ways to inch prices up if they are allowed to remain a monopoly. I came to the United States to avoid this type of business practice. I hoped to come to a place where small businesses would not be crushed by an overbearing one. Please keep this from happening.

Sincerely,
Sujit Itty
615 W. 36th Street #355
Los Angeles, CA 90089
CC: microsoftcomments@doj.ca.gov@inetgw,dkleinkn@yahoo. . .

MTC-00014149

From: MacAddictfan@cs.com@inetgw
To: Microsoft ATR
Date: 1/20/02 6:47pm
Subject: Microsoft settlement
Instead of letting Microsoft give a large amount of PC's to poor schools, force them

to give competing computer brands to schools. That is the exact opposite of everything that Microsoft has strived for!! Instead of 10 Billion Dollars worth of PC's, give 10 Billion dollars of MACS. That way Microsoft won't be able to make a profit out of this punishment. Giving 10 Billion dollars worth of PC's will only influence schools to purchase PC's in the future, thereby turning this punishment into a profit.

Force Microsoft to use Netscape.com as it's home address, that way Netscape will at least have a fighting chance against Microsoft's free web browser. Also, force Microsoft to ship alternative operating systems on new PCs. The new MAC OS X, may have the capability to run on an Intel chip in the future, though it hasn't been announced yet.

MTC-00014150

From: Stephanie Jackson
To: Microsoft ATR
Date: 1/20/02 6:52pm
Subject: Microsoft Settlement
12114 Bammel N. Houston Road
Houston, TX 77066
January 20, 2002

Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:
I would like to express my opinion regarding the Microsoft antitrust case. I was hoping Microsoft would not have to give in to the settlement, but understand that sometimes it becomes too costly to continue fighting. The settlement already approved by nine states in more than fair. I certainly believe that those who wish for Microsoft to be disbanded are only jealous that they did not come up with a better product. In my view, Microsoft is a "producer", and I applaud the success of this company. If there are companies that can produce something better than Microsoft, they should do it and let the consumers dictate which is the better product.

I see nothing more to be accomplished by further federal action. Are the states that want to continue litigation more concerned with investment return rather than consumer protection? I believe the settlement has accomplished what is fair to the majority. Let us put an end to this, once and for all.

In closing, I am very proud of the way you and the Bush administration are handling the country's business. Thank you for your service. God bless you.

Sincerely,
Stephanie Jackson
CC:fin@mobilizationoffice.com@inetgw

MTC-00014151

From: Peter Cornejo
To: Microsoft ATR
Date: 1/18/02 4:29pm
Subject: Microsoft Settlement

MTC-00014151-0001

Aurora & Peter Cornejo
74 Dana Road
Buffalo, New York 14216
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Mr. Ashcroft:
The Microsoft antitrust case has been active for over three years. At last, there is a fair and equitable proposed settlement released by the Dept. of Justice. I highly recommend endorsement of this settlement.

The Microsoft Company has agreed to every provision of this proposed settlement that resulted from negotiations with a court-appointed mediator. Microsoft's competitors should be pleased with the basic provisions that will allow them access to Microsoft Windows protocol, programs, and documentation thereby enabling them to link their non-Microsoft software to Windows. Further prolonging of this case should be avoided so that the IT industry can once again fully focus on innovation without the burden of litigation.

I look forward to a fair and equitable settlement in the near future. Thanks you for your consideration.

Sincerely,
Peter Cornejo

MTC-00014152

From: Jon Hill
To: Microsoft ATR
Date: 1/20/02 7:08pm
Subject: Microsoft Settlement

The proposed Microsoft settlement is a fair and equitable solution particularly for those states that are holding out. From my perspective it would appear that the remaining nine states are using the Federal Government to tilt what was already level playing field. Its time to stop using our tax dollars to eliminate competition for those companies that haven't been able to cut it in the marketplace. Microsoft has done a great job in product development and support. I recently received top notch technical support from Microsoft for an extinct operating system. I Also use Corel's Wordperfect, and they won't even talk to me because it isn't the latest version.

The proposal should be approved for all states.

Jon K. Hill
Square One Books
Seattle

MTC-00014153

From: sarah white
To: Microsoft ATR
Date: 1/20/02 7:10pm
Subject: Microsoft Settlement

Dear Judge,
I am a college student. I don't know all of the facts on PFJ, or on the history of Microsoft, however I have studied antitrust laws and I do see the positive effects of competition every day. Microsoft may have earned its way to the top of its competition, however, if it is given an effective monopoly, it will cause the same types of problems that caused the antitrust laws to be passed in the first place. I believe the antitrust laws are there for good reason, and should be heeded. Thank You,

Sarah White, 213-764-6372
Los Angeles, CA
CC: microsoftcomments@doj.ca.gov @inetgw,dkleinkn@yahoo. . .

MTC-00014154

From: Mark Hasenjager
To: Microsoft ATR
Date: 1/20/02 7:40pm
Subject: Microsoft Settlement

United States Department of Justice,
I strongly encourage you to ratify the proposed settlement of the Microsoft anti-trust case. It is time that we move past this issue. It is clearly in the best interest of the consumers and businesses in the United States.

Thank you,
Mark Hasenjager
Microsoft Corporation

MTC-00014155

From: Christian Miller
To: Microsoft ATR
Date: 1/20/02 7:47pm
Subject: Microsoft Settlement.

I believe that Steve Jobs stated it best:
Excerpt from C\Net news: <http://news.com.com/2100-1001-276267.html?legacy=cnet> <quote>

But Apple, which has a big stake in the education market, criticized the settlement as anticompetitive. On Monday, the Cupertino, Calif.-based company filed a 30-page brief opposing the proposed agreement. "Around half of the computers in education today are Apple computers, and we're the second largest supplier overall and the largest supplier of portable computers to education," Apple CEO Steve Jobs said in a statement released Tuesday.

"Given this, we're baffled that a settlement imposed against Microsoft for breaking the law should allow—even encourage—they to unfairly make inroads into education, one of the few markets left where they don't have monopoly power." </quote> Microsoft needs to be tamed. Right now, they have no fear of the U.S. Government. They have no fear because they have control over you. What do most if not all of your computer run? Microsoft products. How did they get there? Not by being better, but by bullying. Microsoft is VHS tapes and Apple (et al) is Betamax.

See the works of the Lord, and his wonders of the deep.

MTC-00014156

From: J. Edward Maddox
To: Microsoft ATR
Date: 1/20/02 7:51pm
Subject: Microsoft Settlement
4829 Crittenden Drive
Ashland, KY 41101
January 19, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

Thankfully, the government got smart towards the end of litigation and decided not to break up the best asset our country has in the technology industry. I think that the recent antitrust case settlement is extremely harsh, and it reflects the intense lobbying efforts of Microsoft's competitors.

Originally the case was brought to suit because the consumers' rights might have been violated. Even though I have never felt

that my rights have been infringed upon, the settlement does nothing to make my life any easier. All it does is give competition that had less success than Microsoft a chance to compete in a market that Microsoft dominated through hard work. Under the terms of settlement, Microsoft will be giving competitors information about their internal interfaces and protocols. They will also be granting computer makers broad new rights to configure Windows to more easily promote non-Microsoft products. While I believe the settlement is flawed, I still think it is in the public's and our economy's best interests to make the settlement a reality as soon as possible. Further litigation would be detrimental to our nation's health. Thank you for your time and consideration.

Sincerely yours,
J. Edward Maddox

MTC-00014157

From: Bill Parkins
To: Microsoft ATR
Date: 1/20/02 8:02pm
Subject: Microsoft settlement

Representative- Department of Justice, I would highly recommend that all charges and claims against Microsoft be dropped. I do not believe that Microsoft has committed any crime. If they are required to develop Windows Software that will work with all other programs it will cost Microsoft far too much. Let all mfg. that build software not compatible with Windows develop their own operating systems. I do not see the courts forcing other co.s to do anything. This case has gone on far too long and has only hurt the investors and consumers. The courts should not be in that business.

Thank you,
William T Parkins

MTC-00014158

From: Ron Rioux
To: Microsoft ATR
Date: 1/20/02 8:06pm
Subject: Microsoft Settlement

I am opposed to the proposed settlement, I would like to see a more severe punishment for blocking competition in the marketplace. Even now a consumer cannot buy a computer without being forced to accept one of the Microsoft operating systems.

Thanks,
Ron Rioux

MTC-00014159

From: MMoss
To: Microsoft ATR
Date: 1/20/02 8:10pm
Subject: Microsoft Settlement
From the desk of Mark Moss
10801 Rio Springs Drive, Apt 103
Raleigh, NC 27614
January 20, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I want to use this opportunity to express my support for the settlement reached between Microsoft and the Justice Department last year. This settlement is long overdue and it is definitely time to move forward. I would say the government

negotiated a very tough agreement. Microsoft has agreed to design future versions of Windows that will provide a mechanism to make it easy for computer makers, consumers and software developers to promote non-Microsoft software within Windows. The mechanism will make it easy to add or remove access to features built in to Windows or to non-Microsoft software. Therefore, consumers will have the freedom to choose to change their configuration at any time they please.

I believe this agreement will also benefit the economy. It will bring more certainty to the computer industry and give Microsoft the freedom to design new and improved products.

Sincerely,
Mark Moss

MTC-00014160

From: K.M. Lowe
To: Microsoft ATR
Date: 1/20/02 8:14pm
Subject: Microsoft Settlement
January 20, 2001

Dear Judge Kollar-Kotelly,

My name is Khan Lowe; and I've worked in the software industry for 5 years. When I was an executive at Lotus Development Corporation, I saw how Microsoft leveraged its operating system monopoly position to dominate the software applications market. I don't agree with the Proposed Final Judgment (PFJ) that was recently announced by the Justice Department.

The PFJ fails to terminate Microsoft's illegal monopoly. In addition, this settlement gives Microsoft sole discretion to determine that other products or services which don't have anything to do with operating a computer are nevertheless part of a Windows Operating System product." Doesn't this create a new exemption from parts of antitrust law for Microsoft?

Under the proposed settlement, Microsoft is only marginally penalized for its anti-competitive misdeeds. Every court involved with this case has acknowledged that Microsoft broke the anti-trust laws, yet under the terms of the proposed Agreement, Microsoft would be allowed to retain almost all of the profits gained from these activities.

Most importantly, the PFJ does not attempt to compensate those companies who have been directly affected by Microsoft's monopolistic tactics. Any corporation that violates U.S. antitrust laws deserves a penalty proportionate to its crime.

Regards,
Khan Lowe
1040 Edgebrook Lane
Glencoe, IL 60022
212-604-4434

Khan Lowe
kmlowe@sprynet.com—my permanent email address
khanlowe@yahoo.com—my temporary email address

MTC-00014161

From: Floridabillio@aol.com@inetgw
To: Microsoft ATR
Date: 1/20/02 8:21pm
Subject: msft anti trust case
msft is willing to settle but only if every one agrees on the terms lets stop trying to

prevent the software industry from advancing I bet when the case is settled and Janet Reno's mistakes have been buried our economy will change and get better. Lasee fair

stop punish success ask msft to add another half billion for teacher support only if states settle at the same time settle I bet if Japan came up with a better software our courts would not be so fast to punish bill oehme

MTC-00014162

From: Buddy Brinkley
To: Microsoft ATR
Date: 1/20/02 8:24pm
Subject: "Microsoft settlement"

I for one feel that a monumental amount of time and money has been spent on this case and it appears to me that Microsoft was doing quite a job of providing quality products to the consumer at a fair price. Since the government has decided to enter the picture, there has been nothing but havoc. PLEASE get on with the settlement and let Microsoft get back to doing business for the good of America.

Buddy Brinkley
Cotton, GA

MTC-00014163

From: Scott Kindle
To: Microsoft ATR
Date: 1/20/02 8:25pm
Subject: Microsoft Litigation

The time has come to move on. Penalties have been assessed, fair or not, so let's put it to sleep. Continuing will cost US Tax Payers more money along with adding to the uncertainty of the overall market place in general. It also acts as a restraint on Microsoft stock of which most investors (US Tax Payers) own, either directly or indirectly (via funds). This litigation has cost us more due to the uncertainty than any monopolistic endeavor by Microsoft.

The time has come to put this to rest. . . .
Donald S. Kindle
Evans, WA

MTC-00014164

From: Mary-Johne Hickman
To: Microsoft ATR
Date: 1/20/02 8:37pm
Subject: Microsoft antitrust case
January 20, 2002

Please leave Microsoft alone. Our country needs this company more now than ever. Enough is enough.

Pursue means to better our economy instead of trashing the most innovative company in the world.

Mary-Johne Hickman

MTC-00014165

From: Jim Caldwell
To: Microsoft ATR
Date: 1/20/02 8:57pm
Subject: Settlement

Where do states Attorneys General get the authority to meddle in interstate commerce? Apparently from the past corrupt Reno Justice Department under the impeached rapist president, they along with several individual Attorneys General seeking political fame and fortune, took it upon themselves to successfully shake down the tobacco industry.

Now they are attempting to do the same to Micro Soft. Hopefully the current Justice Department will stand up and do what is right. It is time to get big government, and states Attorneys General out of the board rooms and return business to entrepreneurs and risk takers; not handcuff them.

I want to buy what I want. Not being a computer nut, I like things simple and easy to understand and use.

James E. Caldwell

MTC-00014166

From: Bosputor@aol.com@inetgw
To: Microsoft ATR
Date: 1/20/02 8:59pm
Subject: Microsoft Settlement

I read the settlement and I've also talked to all my friends. If this goes down there won't be anyone who thinks the government wasn't bought off. It's wrong on every level, and just the tip of the iceberg on things Microsoft has gotten away with. The fine isn't big enough and the way it's to be used will INCREASE their monopoly, and if you think it's not a monopoly, read your history books, and eighth graders can tell you different!

MTC-00014167

From: David and Tina
To: Microsoft ATR
Date: 1/20/02 9:03pm
Subject: Microsoft Settlement

Dear ladies and Gentlemen,
It's time to stop wasting taxpayer dollars going after Microsoft Corporation. The provisions of the proposed settlement agreement are tough, reasonable, fair to all parties involved, and go beyond the findings of Court of Appeals ruling.

Let's get the case settled and spend my tax dollars on better causes.

Thanks and regards,
David Messner
Registered voter in the state of WA

MTC-00014168

From: Fernando Aguilera
To: Microsoft ATR
Date: 1/20/02 9:17pm
Subject: Microsoft Settlement
Dear DOJ:

The new threat posed by Microsoft today is greater than it has ever been. In the past, companies, products, and dreams were shattered by their monopolistic practices. However, with their new suite of development products and their .Net vision, Microsoft is poised at taking over the Internet. How? By selling their Windows XP software, they have introduced users to their passport technology which is used to store user's sensitive data. This in turn produces a demand for their .Net web services which companies will be hard-pressed to ignore. Unfortunately, these .Net web services will only run on Microsoft XP servers, which will in turn increase demand for Windows XP, as well as other products such as databases, server administration tools, and a host of other Microsoft utilities. The next step in the process is to de-commoditize the Internet protocols as revealed in the infamous "Halloween Documents" internal memo. As more users and companies jump on the bandwagon, Microsoft will release "improvements" to these standard protocols.

These improvements will be nothing more than annoying syntax incompatibilities deliberately introduced into the protocols so only Microsoft systems can communicate with each other over the Internet, thus forcing even more consumers onto their bandwagon. Since no new companies will exist to offer any resistance or competition because venture capitalists will cower from anyone offering a competing product, users will be left with no choice. At this stage, users will either join the bandwagon, or be totally left out. Once we reach this point, it's all lost. Microsoft will in effect OWN the once mighty Internet, and start charging small transaction processing fees (taxes) on every business transaction taking place. Likewise, they will be able to dictate what content is suitable for publication on their "private network" and will have the power to starve all non-compliant web publishers simply by not directing any traffic to their site.

It is inconceivable that the once might ARPANET military network, which in turn became the Internet we all enjoy world-wide, would one day be subjugated by a single company for their gain and everyone else's loss. Yet this is the exact thing that is happening today. Our digital medium of global communications is being robbed by a single corporation. Allowing this to happen, would be the single biggest blunder in our country's anti-trust history, one from which we may never recover.

Sincerely,
Fernando X. Aguilera
Senior Programmer Analyst

MTC-00014169

From: Timothy Bailey
To: Microsoft ATR
Date: 1/20/02 9:35pm
Subject: Public Comment on Microsoft ruling

In deciding a penalty for Microsoft, I feel that it must be something that actually causes a penalty, not like the settlement reached last fall. I am a computer professional with a BS in Computer Science and Engineering. I have worked in the industry for almost eight years, and was a follower or it for many years beforehand. I have used many versions of Windows in that time, so I am quite familiar with the product and how Microsoft does business.

I feel that since Microsoft was found to be an illegal monopoly, it should be treated in a manner that will weaken its ability to maintain (and/or regain) said monopoly. Unlike the actions against Standard Oil and AT&T, I feel that it would be too problematic to split Microsoft into two (or more) portions.

However, an appropriate penalty, in my view, must:

- * Disallow contractual obligations with computer manufacturers that require a payment be made to Microsoft for every computer sold, no matter whether a Microsoft product is installed on that computer. For example, if IBM sells a computer with Linux installed as its operating system, no payment need be made to Microsoft.

- * Allow computer manufacturers to customize the appearance of the Windows operating system; for example, they may

remove the Internet Explorer icon from the desktop on the computers that they sell.

* Consider Internet Explorer and similar add-ons to Windows as add-ons and not integral parts of it; if a computer manufacturer wishes to sell computers without such add-ons, they should be allowed to do so. Additionally, the manufacturers should be allowed to include whatever other software they choose (for example, the Netscape Internet browser).

* Force an appropriate charge for Microsoft products, rather than having them thrown in free or at a reduced cost. Also, those products must be available without the computer for that price differential. For example, if a computer without an operating system costs \$100, with Windows costs \$110, and with Windows and Word costs \$115, then that computer seller must make Windows by itself available for \$10, and Word for \$5. (These prices, of course, are theoretical.)

* Force Microsoft to fully and publicly document all of the APIs for Windows; the "hidden" APIs have allowed other Microsoft products (Word, Excel, etc.) to have an unfair speed and functionality advantage.

* Force Microsoft to fully and publicly document all of its file formats, so that other companies can publish software that can read and write them as well. (For example, so that another company can create their own word processor that can read and write Word-format documents without any intermediate translator programs required.)

* Make certain that all networking protocols in Microsoft products are fully documented and approved by an independent network protocol body before being released in a product. Preferentially, they should use public protocols instead.

* Keep Microsoft from announcing products months before release, in a tactic to drive other companies out of business. (Microsoft has, in the past, announced products with apparently the sole purpose of keeping consumers from buying a competing product—then, the Microsoft product either was quite late, or never materialized in the market.)

* Force Microsoft to pay much more attention to security concerns; Internet Explorer, and Outlook (for example) should ship with the most restrictive security settings be default, and indeed, should have a much better ability to defeat viruses and worms than they do.

Timothy Bailey
243 West Oak Street
Grafton, WI 53223
tim@moonrise.org

MTC-00014170

From: Ed (038) Lesa Seibold
To: Microsoft ATR
Date: 1/20/02 9:32pm
Subject: Microsoft Settlement
828 NE Emily Lane
Lees Summit, MO 64086
January 18, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
Dear Mr. Ashcroft:

I am writing to praise you and the rest of the Justice Department for reaching a

settlement of the Microsoft antitrust litigation. I hope you move forward and resolve the case as soon as possible.

I certainly don't know every aspect of the settlement, and I most certainly have no detailed allegations of the antitrust laws Microsoft is alleged to have violated. It appears that Microsoft will open its Windows systems to more competition, both internally and externally, from non-Microsoft software designers and manufacturers, and that answers the complaint I most frequently heard. I think it is time for everyone to stop wasting time in Court and money on lawyers and get back to work.

A compromise by its very nature means that the parties don't get everything they want. Please ignore the whiners and the carpers and close this matter immediately.

Thank you for the opportunity to address this issue.

Sincerely,
Edward Seibold

MTC-00014171

From: Sandy Stewart
To: Microsoft ATR
Date: 1/20/02 9:41pm
Subject: microsoft settlement

I am an engineer who uses personal computers at work and at home. I am continually frustrated by the rotten operating systems and application software put out by Microsoft. They are a monopoly and have no reason whatsoever to make good software at reasonable prices. There is simply no competition in operating systems for personal computers.

As part of the settlement, Microsoft should be forced to release all information about their application programming interface (API) all at once and in full. That way, competitors could write both operating systems and application software to compete with Microsoft.

Competition is finally working in the personal computer hardware market, where Intel and AMD are fiercely battling to put out more and more powerful computer chips, at lower and lower prices. This is competition truly at work.

The same thing should be done for operating systems. Please see the article posted on Salon magazine for more details: <http://www.salon.com/tech/col/rose/2002/01/16/competition/index.html>.

Thank you very much.
Sincerely yours,
Sandy F.C. Stewart, PhD
Research Biomedical Engineer
Rockville MD, USA

MTC-00014172

From: kate_mccoy@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/20/02 9:48pm
Subject: Microsoft Settlement

This nation would not be great without corporations like Microsoft developing innovative technology tools and at the same time revolutionizing capitalism. For the sake of the industry and the economy, let's stop wasting the taxpayers money, tune out the whining of the MS competitors and get on with the business of business.

Kate McCoy

CC:kate—mccoy@hotmail.com@inetgw

MTC-00014173

From: LJSJD19012@aol.com@inetgw
To: Microsoft ATR
Date: 1/20/02 10:08pm
Subject: What are the issues remaining for the States that protest the Settlement?
Its important for the consuming public to understand what the issues are that stand in the way of a final settlement. Otherwise it comes down to the personalities of the larger than life egos of the principle players.

MTC-00014174

From: Bob Oakley
To: Microsoft ATR
Date: 1/20/02 10:22pm
Subject: Microsoft
Microsoft is a monopoly is should be broken-up!
Bob Oakley
Marketing Outsourcing
PO Box 1073
Groveland CA 95321
email: bob.oakley@mlode.com
Tel: 209-962-4899
FAx: 209-962-4899

MTC-00014175

From: Murrie Bonnie
To: Microsoft ATR
Date: 1/20/02 10:27pm
Subject: Microsoft Settlement
MEMO
TO: THE DEPARTMENT OF JUSTICE
FROM: BONNIE MURRIE
RE: MICROSOFT SETTLEMENT
I AM STRONGLY IN FAVOR OF THE PROPOSED MICROSOFT SETTLEMENT. I CONSIDER THE LEGAL EXPENSES TO DATE A COMPLETE WASTE OF MONEY AND WISH THE GOVERNMENT HAD SOUGHT A MORE CREATIVE SETTLEMENT LONG AGO. LIKE USING MICROSOFT TECHNOLOGY AND KNOW HOW TO UPDATE GOVERNMENT COMPUTING SYSTEMS AT NO COST TO THE U.S. GOVERNMENT. ALL IN ALL I FIND THE ANTI-TRUST RULINGS TO BE ALL OVER THE PLACE. CONSIDERING AIRLINE, COMMUNICATIONS, AND PHARMACEUTICAL MERGERS THAT HAVE BEEN BLESSED DURING THE COURSE OF THE MICROSOFT LITIGATION. IT'S TIME TO MOVE ON.
Murrie Bonnie
bonniemurrie@mindspring.com

MTC-00014176

From: Steven Vandenberg
To: Microsoft ATR
Date: 1/20/02 10:30pm
Subject: Microsoft Settlement
I agree wholeheartedly with the decision for PC makers to make and sell dual-boot systems. People need to see that Microsoft is not the only game in town. There are other, stronger, better, even cost-free alternatives in operating systems. I particularly appreciate and am all for the idea of an appointed Technical Committee to oversee ALL activities of Microsoft, providing room for competition. For we all know that the Big Bad Microsoft Regime [particularly William H. Gates, III] seemingly cannot stand competition. Just as MS plans to watch over

every transaction on their .NET, the Technical Committee should watch over them—LIKE A HAWK!

MS should learn to live with competition, whether they are start-ups or full-fledged for-profit companies, not steal from and squeeze everybody else out of business.

Steven Vandenberg
NSF any1 but myself and the cheated public

MTC-00014177

From: Matthew Black
To: Microsoft ATR
Date: 1/20/02 10:32pm
Subject: My reasons for opposition to the Settlement.

Good Evening,

Before I begin with the list, here is a little background of me with microsoft products. I've been using Microsoft products as far as I can remember, I'm currently 20 yrs old going on 21. I started my time with Microsoft Dos 5. I've used Windows 2, 286, 3, 3.1, 3.11 WFW, NT 4, 2000, and now Windows XP. I use Windows on a consistant basis, I do development, testing, gaming, and internet with it. I also use other operating systems not that of Microsoft's, such as Linux, Unix, and MacOS. Here is my list of complaints with their software (Explanation why this is here will be added at the end):

(1) Windows under a fresh install with no other applications/software installed is the only stablity a user can get(not counting with internet abilities counted).

(2) Most of the current/future internet attacks are designed for Windows.

(3) Majority of viruses still being passed around on the internet and in infected programs are designed for MS-DOS/Windows. Where as MacOS has no recent viruses that I'm aware of or that has been popular in the news. There has only been one recent virus for Unix/Linux and it was a cross platform virus that could infect Windows and Unix/Linux.

(4) Poor response to problems. When Microsoft detects a problem or security issue with their products it sometimes takes a month or two to get a update or patch for it. With other operating systems/commerical software sometimes when a problem is reported and is serious it gets fixed in less then a month.

(5) Everytime they release a new product, it seems they have security issues, bugs, or other vulnerabilities. Most other software usually under goes rigorous testing to remove 80% of their security issues, bugs, or vulnerabilities. These other software companies end up having vulnerabilities found about five or so months after the software is released and usually is fixed and a patch is available.

(6) Microsoft opposition to opensource community. While understandable they are out to make a profit, but embracing the opensource community would make their software more popular and offer more avenues for profit.

(7) Inadequet support for the various software and hardware out there. Often leading into some device drivers causing problems with the others.

(8) Inadequet support for their own software on their Operating Systems. An

example of this would be on some microsoft games installing them on Windows 2000/XP will sometimes fails due to a phantom error.

(9) Software is over priced for its value. Some may argue that peoples work allows them to define their value, but the value should be the value of what can be done with it. You can do most of the same things with Windows 98 as you can with Windows XP, the only difference is the core technology backing Windows XP.

(10) New Versions of the software released on a consistant basis. Most of the time just a User Interface change that makes it look different but the way it works still the same. The difference between Office 2000 and XP is the license registration, and the User Interface changed. The fact is while this isnt really that bad, having to force previous version users to pay for an upgrade every year or two ends up costing that particular using anywhere from \$2400—\$3200 considering if the standard pricing for Microsoft Office 2000 and/or XP is 400 for standard and 800 for Premium.

(11) Part of contracts between Microsoft and Computer Vendors is that if they want to distribute Microsoft products with their machines, they can not sell computers with non-product alternatives. You wont see Dell, for example, distribute a machine with Linux installed on it or offer the option of having Linux installed on a machine a person buys.

These are some I can think off the top of my head (especially at 10pm). The point of listing this information and complaints is, in competition you have a company trying to improve the quality and performance of their software, while adding features to the software to make it more unique and attractive to end users. Lower prices then the competition is also a trick. Microsoft has been using a facist appearance. I say this as they give us something to use, we use it, and eventually are stuck with it that we have to listen to them as some dictator saying that we need to do what they say. Currently there is no other Office Suite out there that can read and/or write Word documents, and thus if we want to give a person a document in Word 2000 format that person has to have Word 2000 or better to read it. So we get forced into having to use their software one way or another. This is like being under nazism, where the enemy, according to microsoft, is the open source community, and they try to eridicate the open source movement.

The reason microsoft wants to settle is because right now Microsoft is one company with one person at the helm, if the company was to be broken into several companies then that one man who is incharge would only be in charge of one company really, their profit will be divided, and overall in their eyes its the end of the world.

I feel that if the world was to progress into an age where computer technology and software were to heavily advance it would require not to settle as it would then push microsoft to derive better quality products and overall better quality on the internet.

Sincerely,

Matthew Black

MTC-00014178

From: Gary Kincaid

To: Microsoft ATR

Date: 1/20/02 10:33pm

Subject: Microsoft settlement

It is my belief that MicroSoft has provided tremendous products that have helped revolutionize the way we conduct our business and our lives in this ever changing world. I also believe that the settlement agreed to is a fair one and that MicroSoft should not be further penalized for their business practices. No company should be put in jeopardy for having the American spirit and drive to develop products that change the way we conduct our business and our lives. Instead, they should be allowed to enjoy the fruits of their hard work and efforts and not have to apologize to their competitors for their success. Their competitors have had the same opportunity to develop revolutionary products to gain a competitive edge, and apparently have not taken advantage of the opportunity.

Respectfully,

Gary Kincaid

MTC-00014179

From: Pat Goyen

To: Microsoft Settlement

Date: 1/20/02 7:00pm

Subject: Microsoft Settlement

Pat Goyen

1272 South Emigrant Place

Casper, WY 82604

January 20, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial wasted taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. I feel that it is time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft (and I wholeheartedly agreed). If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

Pat Goyen

MTC-00014180

From: Debbie Henderson

To: Microsoft ATR

Date: 1/20/02 11:28pm
Subject: Microsoft Settlement

Please honor the comprehensive agreement (via the Tunney Act) that the federal government and nine states reached with Microsoft. I do not believe further litigation would gain anything for either side. Thank you for honoring my request.

Debbie Henderson
Saltillo, Mississippi

MTC-00014181

From: Rudy Rodriguez
To: Microsoft ATR
Date: 1/20/02 11:39pm
Subject: Microsoft Settlement

Dear Judge,

I know that this is only one person's opinion but I think that Microsoft should not be allowed to remain a monopoly because it limits technology. If Microsoft had real competitors they would strive to outdo the other company and that only results in better technology for us, the consumers. Plus I do believe in a free market economy that has been the US's motto since its birth, I think its called *laissez-faire*.

Well, thank you judge for listening.

Rudy Rodriguez
2 El Vecino Place
Phillips Ranch, CA 91766
(909) 623-1591

MTC-00014182

From: Thomas Morrisey
To: Microsoft ATR
Date: 1/20/02 11:50pm
Subject: Microsoft Settlement

Dear Justice Department Representative,

While I have no formal legal training, it seems mindboggling to me that the government would allow Microsoft, which has been accused of using its monopoly powers to crush innovation in an industry that affects so many of our lives, to get off the hook by giving away Windows-compatible computers and thereby expanding its monopoly. Microsoft's lies and illegal business practices have given it control of over 95% of the world's desktop computers, which is a shame when one sees the quality of their operating system, Windows. While Microsoft has made some innovative products, (for example, I'm using Microsoft Entourage to type this email) I believe it has been a case of one step forward, two steps back. Microsoft's crimes against the American people and many of its businesses should be severely punished.

Thank you for your time and concern,
Thomas J. Morrisey

MTC-00014183

From: Paul Simons
To: Microsoft ATR
Date: 1/20/02 11:53pm
Subject: Microsoft Settlement

Thank you for the opportunity to submit a comment. I believe that Microsoft has had to both accommodate and compete with other vendors of office, graphics, internet, and operating system software. The sheer reality of this medium is the result of standards coming into wide acceptance and useability. Just as 117 volt alternating current won out as the standard for electricity, Windows has won out as the standard operating system.

However it is not a monopoly- I could be writing this document with any number of word processing programs from various vendors, on any of several available operating systems. The Department of Justice could be reading it using one of many internet communication or email packages. If you are using Windows, it is probably because it is readily available and works. If you are using Linux or Apple systems, that indicates there is no monopoly.

It also bears pointing out that Microsoft sells program-writing tools that anyone can use to create software to sell in competition with Microsoft products.

Thanks for reading this, Paul Simons
Levittown PA USA or another victim.

In the news recently, Microsoft has bought much of Silicon Graphics' Patent Portfolio, specifically the patents for OpenGL, which is in direct competition with Microsoft's own DirectX. By buying the patents of the dying competition (SGI also has no air supply), Microsoft can LEGALLY kill the 3D and gaming capabilities of ALL non-Microsoft Operating Systems. Apple will die. They based their new operating system on heavily on OpenGL Linux will die. Like Apple, they don't have access to Microsoft's DirectX (obviously), and rely heavily on OpenGL to give their system functionality. Who will buy a computer if their kids can't play games on it, especially when Microsoft owns the Office genre and won't allow anyone else to communicate with their product? There's nothing else left. Microsoft owns it all. They have their fingers in with hardware producers now, who will have to exclude other operating systems from their designs in order to appease Microsoft. This isn't relevant to your case, but it is an example of the complete lack of respect Microsoft has for your verdict. They aren't worried in the least. And their business plans continue unaffected and unharmed. They will buy everything that is competition and bury it specifically to harm others. <http://www.theregister.co.uk/content/54/23708.html>

I hope that you will consider my points as you decide what to do to bring equity to the PC market.

I'm sorry for being so wordy (and waxing poetic (badly) in a few places), but as a guy who works on computers 12-15 hours a day, Microsoft has honestly lowered my quality of life, and I'd hate to see them get out of yet another trial unscathed. Which, unfortunately, is what looks like is happening. Bill Gates admitted it when he said "We haven't changed our business practices at all."

Think about it. This may be the last Microsoft case that will ever matter.

Best Regards,
Matthew Squires

MTC-00014184

From: Brian m.
To: Microsoft ATR
Date: 1/21/02 12:27am
Subject: Microsoft settlement

We all know what microsoft is doing is fraudulent, however, nobody seems to have the resources or the legal power to contain this problem. I think it is rather sad that corporations can get away with monopolizing

an entire industry, simply because they can afford to find loopholes, pay off government officials, etc.

I think the time to act is long overdue. The Department of Justice needs to implement a plan that will reduce Microsoft's stronghold on the computer industry- especially when there are far superior products available.

It's disgusting how Microsoft tried "paying off" their settlement by providing underprivileged schools with refurbished computers running their own Operating System. Not only is this increasing their market share, but it is taking away from other viable computer manufacturers like Apple computers- who build a much finer Operating system/ Computer.

It's time to stop this evil money-hungry power machine and let others share in the market.

Increasing competition will only create more jobs, more computers, more demand.

Sincerely,
Brian McGrath

MTC-00014185

From: m.j.m@eskimo.com@inetgw
To: Microsoft ATR
Date: 1/21/02 12:33am
Subject: Microsoft Settlement

Dear Judge Kollar-Kotally,

The proposed Microsoft Settlement is a very bad idea. It does nothing to end Microsoft's illegal monopoly in spite of the fact that every federal court that has looked at the facts has found that Microsoft violated U.S. antitrust laws. And it does nothing to prevent Microsoft from extending it's current monopoly into new areas like it's .NET Internet plans. Furthermore it does not punish Microsoft, financially or otherwise, for it's past statutory violations and financial gains from it's illegal activities.

I could go on with more technical details about why this settlement is nothing more than a political expediency, but since I'm sure you will be getting a lot of mail with specifics about what is wrong with it, let me give you a personal experience I recently had. I use Linux and I want to buy a new PC without Microsoft software on it since I don't want to pay for something I won't be using. I tried Dell, Gateway, and Compaq and not one of them would sell me a machine without Windows. Mind you, I wasn't asking them to sell me one with Linux (although that would be nice), but just without Microsoft software. Furthermore I recently had a cable modem installed and the installer said he needed Microsoft Windows running on my PC to do the installation (even though the cable modem works fine with Linux).

There are those who are happy with only having to deal with one operating system because it makes their life easier. And sometimes it's best to have a monopoly (e.g., telephones, electricity, etc.), but it's NEVER a good idea to have an unregulated monopoly. That Microsoft has a monopoly is an undisputed fact. Either breakup the Microsoft monopoly or regulate them.

Mel Melchner
14B Kensington Road
Chatham, NJ 07928
CC:m.j.m@eskimo.com@inetgw

MTC-00014186

From: TA
 To: Microsoft ATR
 Date: 1/21/02 1:02am
 Subject: Microsoft Settlement
 Good Morning

I would like to offer a comment on an aspect of the Microsoft Monopoly that I have not seen discussed in detail.

I am the senior for a large corporate development department. What is happening now is that software such as word processors, spreadsheets, operating systems have matured and are not gaining a lot of new features in the newer releases. A lot of companies and people don't upgrade their software on as regular a basis as the basic functionality is not changing a lot and the stability of today's software is much better than even 5 years ago. i.e. windows 95 crashed every 4-5 hours whereas windows 2000 can run for months or even years without ever crashing. What this means for Microsoft is that there revenue streams are going to start softening up as this newer and much better software provides much longer life spans. Enter a new feature in Microsoft's new software called WPA under the pretext of controlling piracy. This system takes a "picture" of the hardware of the computer that it is installed and then allows only a few minor changes to that computer. The problem here is that when you buy a piece of Microsoft software it is now locked to one computer. What this means when you buy a new computer as your hardware becomes obsolete or even if you upgrade your current computer your Microsoft software is now locked out and you have to buy another full copy in order to regain the functionality you have already paid for in your previous computer and want to move over (not copy) to your new computer. So as people's computers become obsolete or even break and need new parts Microsoft forces them to buy new software regardless of whether they need or want it. This means that if you need a particular piece of software (and in Microsoft's monopoly position it may be a piece of software that they have taken over the market on i.e. operating systems) on your older computer in which case you have to decide on buying a new computer or paying for an expensive operating system that may only have 6 month's or a year of use because they have locked it into a particular computer.

For example I have office 2000 on my current computer While I intend to upgrade my computer in the next couple of years I have no intentions of upgrading my office 2000 as it currently does everything I need it to. Under office xp I would HAVE to purchase the office upgrade at several hundred dollars just to continue using the software I legally purchased to use all my content that is only compatible with MS office.

In an open competitive system I wouldn't have a problem with this. I would simply buy someone else's software But in Microsoft's monopoly position and the fact they either are the only manufacturers of some software or make the only software that will run other software WE DON'T HAVE A CHOICE. We HAVE to buy their software and with this

new WPA, upgrade at whatever intervals Microsoft feels is appropriate to keep their revenue stream up. I feel that as part of this settlement Microsoft should be forced to abandon this monopolistic and restrictive software practice and allow people to be able to remove legally purchased software from obsolete computers and install it on a new machine with paying hundreds of dollars to Microsoft for no other reason then they want to keep their revenue streams up at the consumer's expense.

Thanks for reading my submission
 Rob A

MTC-00014187

From: Michael King
 To: Microsoft ATR
 Date: 1/21/02 1:07am
 Subject: Microsoft Settlement

It is my opinion that a settlement should be reached as soon as possible with Microsoft. This is not a scenario fit for cat and mouse games. Stop allowing the delays and make some decisions.

MTC-00014188

From: Racwewa@cs.com@inetgw
 To: Microsoft ATR
 Date: 1/21/02 1:11am
 Subject: Microsoft Settlement

I favor the settlement. Let's not drag this litigation into the courts any longer.

Robert Childs

MTC-00014189

From: starthru
 To: Microsoft ATR
 Date: 1/21/02 1:14 am
 Subject: Microsoft settlement
 9S353 Cumnor Road
 Downers Grove, Illinois 60516
 January 20, 2002
 Attorney General John Ashcroft
 US Department of Justice
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Mr. Ashcroft:

As a Microsoft shareholder and firm supporter, I urge you to help stop any further litigation against the recent settlement between the Department of Justice and Microsoft. After three years of negotiations, Microsoft has bent over backwards to support the actions of our technology industry. I feel strongly that it is time to move forward and let our IT companies prosper. By designing new versions of Windows that allow easier installation of non-Microsoft software, Microsoft will be promoting the use of other software. This is extremely helpful to the consumer, the IT sector and our economy as a whole.

I ask you to help stop any action against this agreement. Please help us to move forward and get back to business. I support this settlement and look forward to a swift end in this case.

Sincerely,
 Kathleen Osborne

MTC-00014190

From: PATRICIA MALEN
 To: Microsoft ATR
 Date: 1/21/02 1:20am
 Subject: Microsoft

Over the years I have used multiple computer systems. At this point in time and space there is only one operating system "Windows". Any third party programs have been locked out. Microsoft has even bought Apple after taking there operating system. This is holding the American public hostage.

After receiving a computer for Christmas with MSN as an internet provider the service has been poor to say the least. Calls to MSN are a total waste of time they have no clue and tell me to do things that are absurd.

I know that almost every business and home computer are using these systems with millions of dollars going to Microsoft every day.

What do the words ANTITRUST mean? Nothing anymore.

MTC-00014191

From: Keith Ajayan
 To: Microsoft ATR
 Date: 1/21/02 1:26am
 Subject: microsoft anti-trust case

I am hanging on, hoping that my Government can see the forest through the trees. Please do not let them monopolize a free industry that will surely be tainted for the future if left unchecked. Teddy Roosevelt was a leader in trust busting and he would be all over them if he saw the case. Think like Teddy and say to yourself "how would he handle it." I am trusting you, our patriots, to help us make sure that they do not shape the world according to them only.

Thank you,
 Keith Ajayan
 Golden, CO
 applefan@mac.com

MTC-00014192

From: Bill Bucko
 To: Microsoft ATR
 Date: 1/21/02 2:05am
 Subject: Microsoft Settlement

As a computer professional and as an American who thinks the rights to liberty and property should be defended, not attacked, by the so-called "Justice" Department, I am outraged at the government's persecution of Microsoft. When the government penalizes the successful at the behest of their competitors, it is a threat to all our rights.

Microsoft has never had the power to force anyone to do anything. Whoever wants to curtail Microsoft's profits and restrict its share of the market has always been free to do so—by simply going elsewhere and dealing with someone else. It is government alone that has the power to use force. As George Washington said, "Government is not reason; it is not eloquence; it is force." Microsoft offers a product that is so good that a large majority of those in the market want to buy it. Why should the government disrupt the free choices made in the marketplace? The only threat to the market is the computer-illiterate power-lusters in government, like Janet Reno, who rely on the point of a gun.

If she (and you) had been in power 120 years ago to "protect" us from Thomas Edison and his "monopoly" on the electric light bulb—where would we be today?

Here is the only settlement that is acceptable:

(1) APOLOGIZE to Microsoft and to all of America for persecuting success and threatening our freedom. (2) REIMBURSE Microsoft for all the money it has had to waste in defending itself against the anti-capitalist looters in our so-called ?Justice? Department. And

(3) SCRAP the Antitrust Laws, which are inherently unjust and non-objective. You cannot FORCE the market to be free—that's a contradiction in terms—you can only destroy our freedom.

Angrily,
Bill Bucko
Computer Helpdesk Analyst
130 South Avenue, Apt. 2
Mt. Clemens, MI 48043

MTC-00014193

From: Rick Lyon
To: Microsoft ATR
Date: 1/21/02 2:15am
Subject: Anti-trust case

To whom it may concern,

As a hard working tax payer I can not believe in this day an age a company as large as Microsoft is allowed to get away with the type of actions they are. I use Apple computers and know first hand how evil Microsoft is. I remember when they threatened to stop production of Microsoft Office is Steve Jobs did not make internet Explorer the default web browser upon installation of a new OS. I, as a minority since I use Apple, everyday watch the deeds that Microsoft is allowed to get away with and wonder how AT & T failed where Microsoft is succeeding. Is that Microsoft is donating more money to campaigns? Helping more politicians? Lobbying in Washington must be an easy thing to do because Microsoft is making it look like child1s play. Microsoft Windows is on about 95% of the world1s computers. Does that sound like a healthy business with thriving competition?

Please don't succumb to the pocket filling ways of Microsoft, the cries of integration of their browser, or any other of their lies and dirty practices. They must be punished as AT&T were. They must face penalties. Bill Gates must be shown he cannot use his companies size, influence and power to do whatever he pleases, to whomever he pleases.

I hope you take action that is justly called for. Their punishment will not affect the economy. It would actually help it giving other companies a chance to vie for a piece of the market.

As a tax payer, you take from me everyday. Stop Microsoft from doing the same to everyone else.

Thank you,
Rick

MTC-00014194

From: Joseph Meighan
To: Microsoft Settlement
Date: 1/20/02 11:37pm
Subject: Microsoft Settlement
Joseph Meighan
307 Columbia ST.
Cohoes, NY 12047-2213
January 20, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Joe Meighan

MTC-00014195

From: Frank Schoen
To: Microsoft Settlement
Date: 1/20/02 11:29pm
Subject: Microsoft Settlement
Frank Schoen
5541 La Jolla Mesa Drive
La Jolla, CA 92037-7718
January 20, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Frank C. Schoen

MTC-00014196

From: Joseph Madden
To: Microsoft Settlement
Date: 1/20/02 11:26pm
Subject: Microsoft Settlement
Joseph Madden
1731 Harold Ave.
Wantagh, NY 11793
January 20, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Joseph P. Madden Jr.

MTC-00014197

From: JockoMarx@aol.com@inetgw
To: Microsoft ATR
Date: 1/21/02 2:58am
Subject: Microsoft Settlement

It's about time to settle this and spend the taxpayers money on more important things.

MTC-00014198

From: Steve Sherwood
To: Microsoft Settlement
Date: 1/21/02 2:40am
Subject: Microsoft Settlement
Steve Sherwood
8034 S. Cicero Ave.
Burbank, IL 60459
January 21, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

Microsoft is the reason for the last 10 years of US success. We can use this large company and their tools* * * the greatest communication tools ever used by human hands. To help educate the planet about our real situation. We are over populated and under-educated a solution is at hand USE IT

!The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief. Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

R. Steven Sherwood

MTC-00014199

From: CDmackay@aol.com@inetgw

To: Microsoft ATR

Date: 1/21/02 3:46am

Subject: Microsoft Settlement

I resent the fact that my taxes are going to pay for litigation against the most successful business in the USA and one that has contributed so much to our way of life. They have done everything right and they deserve their success. Consumers are not hurt by Microsoft they are helped. You can't put Microsoft on equal ground with any other platform manufacturer. They have to earn it.

I would rather have competitive Electric and gas companies. Both suppliers and consumers are hurt by no competition. Microsoft supplies a unique product. It is actually better to have Apple and Microsoft platforms than to have many others. Unification and standardization are desirable.

I am satisfied with the original settlement.

Craig Mackay
Randolph, MA

MTC-00014200

From: Geoffrey

To: Microsoft ATR

Date: 1/21/02 4:12am

Subject: Microsoft Settlement.

I am in favor of the courts final judgment findings against Microsoft. Microsoft is too large, they stifle competition by buying up competitors. It should be broken down so the industry is on a more level playing field. This will encourage new technologies and be helpful for the economy. Microsoft controls too large a portion of the computer software market.

Thank You

Geoffrey Loeffler

MTC-00014201

From: Brian Hayes

To: Microsoft ATR

Date: 1/21/02 4:29am

Subject: Microsoft Settlement

Comments regarding United States v Microsoft:

I've purchased Microsoft products for almost twenty five years. In every edition, my overhead has increased in order to keep machines stable or secure and to try to install the product and performance claims that Microsoft advertised. I do not believe I have dealt with a company that exercises fair dealing. I also believe that Microsoft attains market by unfairly suppressing, absorbing or complicating the operability of competitor products. I have abandoned software and hardware produced by Microsoft's competitors in order to maintain machine stability and manage arbitrary changes in software interface. As well, Microsoft has developed a means of describing and documenting its products that is an arbitrary artificial language, often confusing, irrelevant and misleading. I have been forced to carry the burden of carrying two languages, one as developed by Microsoft, very often unuseable, and another used by the developer, technician and user in the field. Beyond the simple interface terms, of which Microsoft can claim little ownership, very seldom are Microsoft's technical descriptions adopted by users or systems workers. Microsoft not only produces systems, but unfairly commandeers the mechanism and language to interact with these systems, and charges significant fees to become privy to their new copyright claims as well. Microsoft's practice in the sectors of certification and education have become an unnecessary financial and social drain on the public, and furthermore, tend to steer learning away from machine and software knowledge and thus merely toward an increasingly ineffectual but proprietary Microsoft language product.

I believe that the core of Microsoft's software and its technical descriptions of its software should be relinquished to the public, where much of Microsoft's original claims were developed, funded and improved.

I believe our representatives and agents have been very slow to require commercial market participants to adhere to their claims and contracts, to deliver to their customers the value that they assert, and to recognize that carrying on in our marketplace is both a duty and privilege.

I believe that Microsoft's tenure has demonstrated an inability of our society to encourage and demand good corporate citizenship.

I hope that a vigorous leadership and staff will continue to move Microsoft toward fair dealing.

Best Regards,
Brian Hayes
5308 T St
Sacramento, CA 95819

MTC-00014202

From: Ben Olmsted

To: Microsoft ATR

Date: 1/21/02 5:07am

Subject: Microsoft will never change. Case in point: 3d acceleration.

It has recently come to light that Microsoft has purchased various 3D acceleration technologies from SGI.

Prior to this purchase there were two companies vying for position in the 3D acceleration market, Microsoft with Direct X and SGI with OpenGL. Microsoft buys OpenGL technology from SGI and guess what? Monopoly.

Benton R. Olmsted

tonton@hknet.com

MTC-00014203

From: kmessick

To: Microsoft ATR

Date: 1/21/02 5:25am

Subject: The DOJ should have broke up Microsoft.

Dear DOJ,

The DOJ should have broken up Microsoft instead of making any deal.

Microsoft controls (with a iron fist) over 90% of the market of OS for computers.

Microsoft has copied every OS its every made (but DOS) from Apple. The only thing different from Mac OS X and Windows XP is the P! Microsoft has many times try to kill java if fact it's not even in its new OS XP. It almost killed Netscape well basically did because AOL who own's Netscape cant even use its own browser they use Microsoft's browser. Microsoft is a Trust, Monopoly and down right a bully.

I sorry to say this but Microsoft has broken deals with the DOJ before and you all have been fools to trust them. Bill Gates (Microsoft) is Laughing at the DOJ with his 50 billion dollars thinking his more powerful than the United States Department of Justice, because he and Microsoft has gotten away with being a Monopoly that rules with a iron fist. And all it got was a slap no* * * a little tap on the hand.

Come on now what where you all thinking making a deal with the devil like that?

Break'um up

David Messick

MTC-00014204

From: Dave Moore

To: Microsoft ATR

Date: 1/21/02 6:28am

Lets get on with the issues that are really important to the consumer. The special interest groups that have personal agendas to gain from have been heard it is now time to let them know a few can not harm the many people who enjoy what Microsoft has done for the general public.

MTC-00014205

From: Ronald E Hostetler

To: Microsoft ATR

Date: 1/21/02 6:50am

Subject: Antitrust Settlement in MicroSoft vs. Government

I have a number of comments:

1. The major problem with this case appears to be the apparent lack of knowledge of government prosecutors and judges and the lack of adequate legislation creating standards for the computer industry.

2. If you want to land possibly the fatal blow to Apple Computer, the proposed settle may do it, convert more schools over to the PC Windows environment. Apple Computers are still the leading machines for Graphic

Design Applications and schools. The proposed settlement eats away at an Apple Computer market.

2. A great deal of legislation is need for the regulating businesses in our capitalistic system and protect employee assets and jobs.

3. The "rubber stamping" of mergers within the USA and purchase of USA firms by foreign companies to gain full access to our markets is putting thousands of people out of work and capping retirement values.

4. Legislature is needed before settling the Microsoft case. Loading Microsoft software products search out and make inoperative competitors software especially web browsers. These practices need to be stopped. The consumer should have the choice.

5. Microsoft, I'm told, is planning further monopolistic practices. The windows operating systems in the future, will require pass word changes every year that you will rely on Microsoft to provide. You won't buy the software, but will pay a rental fee; then yearly lease payments and up-date down loads from the internet.

Ronald E. Hostetler
972 Eagle Dr.
Rock Hill, SC 29732

MTC-00014206

From: Jon Ogden
To: Microsoft ATR
Date: 1/21/02 7:23am
Subject: Microsoft Settlement

I strongly support the Federal Settlement that has been reached by the non glory hounds. The 8 objecting state attorneys-general show an amazing lack of understanding of the issues involved. It would seem that they are representing AOL, Sun and Oracle, not their constituents.

Jon Ogden

MTC-00014207

From: Joe Hill, Sr.
To: Microsoft ATR
Date: 1/21/02 7:17am
Subject: Settlement of Microsoft
To Whom Ever Concerned:

In my opinion, Microsoft should not be broken up into smaller companies. From where I sit, Bill Gates and Company knows what they are doing to keep the computer industry at the "top". Why should they have to break up just so some other folks can catch up with their technology. Let the others do their own home work and inventions. In this world of trade, trading partners and the like, companies have to be on their toes or else be overtaken by competitors from other parts of the world. We as Americans don't want that.

Joseph Hill
4011 Ditty Road
Cookeville, TN 38506-7663
(931) 432-4848

MTC-00014208

From: Patrick McCloskey
To: MS ATR
Date: 1/21/02 6:57am
Subject: Microsoft Settlement
You must:

1. Urge the Federal government to use alternative platforms.
2. Keep competition alive by forbidding Microsoft from selling to certain markets. Keep them out of the Educational market,

period. Let someone else (Apple) dominate that market space and keep a competitor strong.

3. Make Microsoft include the top 2 competing products in Windows XP to finally give consumers REAL choice, for example: Make them include Quicktime and Real Audio along with their Windows Media Player in standard XP installation. Make them also include Netscape and Opera along with their Internet Explorer web browser during a standard XP installation. Apple has bee including more than on Interner browser in their standard operating systems installations for years and it has been great for both the Mac user community (consumers) and the Mac market overall. There's no reason that Microsoft shouldn't do this freely for consumers too.

Action must be takes to weaken Microsoft. Without strong measures to adjust themm, they will continue to choke the U.S. technical economy/ecosystem and suffocate other companies and their stock prices * * * Anyone who is their competitor has been struggling without investor backing because investors know Microsoft is lerkng, ready to copy their product and leverage their big name to sell it. More companies must be permitted to be strong to improve the U.S. economy. The fact that Apple hasn't been able to achieve more market share over the years is absolute proof not of Apple's weakness or lack of trying but Microsoft's hedgemony, and stranglehold on the market, and complete reason whu you need to stifled them VERY soon. Make it count thsi time! The American public has been waiting for a looonng time for real justice and equality and freedom of choice.

Thanks for respecting my opinion.
Patrick McCloskey

MTC-00014209

From: Lee J. Rogers
To: Microsoft ATR
Date: 1/21/02 8:08am
Subject: Microsoft Settlement

The settlement with Microsoft is very worrying, whilst I would not discount the very real difference Microsoft has made to the world of IT. I do believe that it uses it's position of monopoly to dominate the market. Netscape is an immediateexample where Microsoft has all but stifled competition and development within the browser market. Many other examples exist. It cannot be good for R & R or the industry in general to have such a dominant player.

Lee Rogers
Supplyquest.com Administrator
Glandore House
33 Fitzwilliam Square
Dublin 2
Tel—1800 923567
Fax—1800 923678
email lrogers@supplyquest.com
Mobile 087 2337681

MTC-00014210

From: Dave/ Carol Heinfeldt
To: Microsoft ATR
Date: 1/21/02 8:14 am
Subject: Microsoft Settlement
1695 Buckhead Road
Tignall, GA 30668

January 18, 2002

Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to express my support of the Microsoft settlement. After three long years of litigation, exorbitant amounts of budgetary resources have been squandered over the issue. In the uncertain economic times in which our country currently exists, this waste of federal dollars appears altogether unnecessary. I would hope that the Department of Justice has larger issues to tackle.

Further, the terms of the settlement show much generosity on behalf of Microsoft. Microsoft has agreed to the formation of a technical review board. This board will have the responsibility of watching over Microsoft and ensuring that the terms of the agreement are kept in place; terms that include increased information sharing between Microsoft and its competitors and non-retaliation agreements preventing Microsoft from engaging in anticompetitive behavior. Obviously, Microsoft has been willing to make concessions so that this issue is resolved. I believe it is time we do just that. I support the settlement, and hope that it is implemented soon.

Thank you for your time.

Sincerely,
David Heinfeldt

MTC-00014211

From: Joanne Miller
To: Microsoft ATR
Date: 1/21/02 8:26am
Subject: Microsoft Settlement

It is highly inappropriate and in contrast to the purpose of the settlement to allow Microsoft to use this settlement as a way to dominate the market even more. Schools are the one place that Microsoft doesn't control the market and this settlement would allow them in roads to do just that. Who even thought of agreeing to this ridiculous settlement? Corporations need to learn that the laws are there for a reason and there should actually be some punishment involved when those laws are broken.

MTC-00014212

From: Pieter Jan Pieper
To: Microsoft ATR
Date: 3/24/01 8:41am
Subject: Microsoft Settlement

Dear Sir,

The settlement with Microsoft in november 2001 is disagreeable to my opinion, as there is no real enforcement to make them comply with an honest concurrency position. Even though I'm not an American citizen, I'm negatively affected by the monopoly position Microsoft occupies on the world market and the way it's misusing this position to force other companies out of the market and destroy the work and efforts of thousands of people.

Pieter Jan Pieper
Baslerstr. 10
CH-4123 Allschwil
E-Mail: pieter@datasolution.ch
Phone: +41 (61) 7069491

Fax: +41 (61) 7069495
Mobil: +41 (78) 6832214

MTC-00014213

From: Shane Hughes
To: Microsoft ATR
Date: 1/21/02 8:32am
Subject: Microsoft

Microsoft has been force feeding low-quality junk to the ignorant masses for too long. It is time that we remove them from their monopolistic throne and give their competitors a chance to shine. Microsoft is current status in the technology sector is a perfect example of Capitalism at its worst.

MTC-00014214

From: EParr3320@aol.com@inetgw
To: Microsoft ATR
Date: 1/21/02 8:42am
Subject: Microsoft Settlement
01/21/02

Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Ashcroft:

The reason for this letter is to express to you my support for the settlement that was reached in the Microsoft antitrust case. I trust you will demonstrate decisive support for this settlement. Forces that are negative toward Microsoft may try to have this settlement withdrawn and this case resumed. This would be unfortunate because both and Microsoft and the DOJ have spent millions of dollars on this case and much time as well. The anti-Microsoft crowd argues that this settlement is too lenient. A careful study of the settlement will reveal the contrary. The settlement will end any contractual restrictions that may be harmful to Microsoft competitors. Additionally this settlement will force Microsoft to share design code with competitors allowing them to create more competitive software. Microsoft concedes much in this settlement; there is no reason for further federal litigation.

I count on you to do your best for what is in the best interest of the American people: to implement this settlement, bring closure to this case, and to open American business once again to the blessings of technological innovation.

Thank you.

With highest regards,
J. Edwin Parrish

e-mail: EParr3320@aol.com

430 Arapaho Trail
Maitland FL 32751

MTC-00014215

From: Alex Calvo
To: Microsoft ATR
Date: 1/21/02 8:56am
Subject: Microsoft Settlement

Dear sir/madam:

I believe it is time for this country to move forward. Please settle the Microsoft case.

Sincerely,

Alex Calvo
5 Wildlife Drive
Wallingford, CT 06492
203-269-4891

MTC-00014216

From: scorthell

To: Microsoft ATR
Date: 1/21/02 9:04 am
Subject: Microsoft
16800 Sharp Road
Sidney, OH 45365-
January 15, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20530-0001

Dear Attorney General Ashcroft:

I am writing to address the current agreement between the Department of Justice and Microsoft. I believe the whole lawsuit was unwarranted. The Federal Government had no business in pursuing Microsoft. Microsoft is a successful company. Bill Gates has tried to make Microsoft the biggest and the best. But isn't that what you are suppose to do? I am very irritated with the concept nowadays that being too successful is wrong. Since when does the federal government define what amount of success we should have? Further, I am quite sure that Microsoft's competitors had some input in the lawsuit. They could not compete in the open market; therefore, sought to cripple Microsoft through political means.

The antitrust laws were created to protect the consumer. Microsoft did not harm the consumer. Bill Gates, through Microsoft, has enabled the average consumer to have access to the technological age, at an affordable price. The consumer has chosen Microsoft, not another brand. That is our choice. Is the Federal Government now dictating what companies we have to buy from?

Microsoft has addressed the demands of the Justice Department by agreeing to grant computer makers wide-ranging new rights to configure Windows to promote non-Microsoft software programs that compete with programs included within Windows. Microsoft will share any code or programming that Windows uses to communicate with other programs. Microsoft has agreed to a technical committee to monitor future actions. I think Microsoft has more than done its sham. I support this agreement. I ask that you please do so also. Thank you.

Sincerely,

Stephen Corthell

MTC-00014217

From: Raymond Hulett
To: Microsoft ATR
Date: 1/21/02 9:16am
Subject: Microsoft Settlement

Dear Judge,

The Proposed Final Judgement deal is an assault on the Justice Department's and America's integrity. Monopolies stifle entrepreneurship and are a blow to the good faith of the American people in the government to keep the market diverse and competitive. Without diversity and competition, the market will not grow and the people will be forced to follow the whim of one all powerful company. Further more, by allowing one company to engage in monopolistic activities, it not only shows that the Justice Department supports such actions, but that it will not be against future deals of this sort with companies in other areas of American society. The formation of

this deal by the Justice Department shows that more importance is placed on one company than the growth of the economy and the benefit of that growth for the American People.

Raymond Hulett
635 West 35th Street #2278
Los Angeles, CA 90007

MTC-00014218

From: Paul (038) Linda
To: Microsoft ATR
Date: 1/21/02 9:32am
Subject: microsoft settlement

This entire case I believe to be an excellent example of big brother government being in the wrong theatre.

Were it not for Microsoft the American People and for that matter the world citizenry would not be enjoying the benefits of computers in general and the internet in particular. Microsoft has kept the cost of using computers within range of the average consumer and this in itself has fostered a tremendous boon to our economy. Our illustrious Government has brought this ill conceived suit against against a company that has pumped billions of dollars into our economy. Would it only be true if the past administration had the where-it-all to do the same. Instead, our government has bowed to the likes of privat busines such as Java to further ther own selfish motives. If Java had its way they would gouge the American public for their procut and computers woul be absent from the average American home.

Let Microsoft run its own business. Our politicians have made a big enough mess out of our government without them interfering in private business.

Paul J. Mc Enery

MTC-00014219

From: Michael W. Liebe
To: Microsoft ATR
Date: 1/21/02 9:38am
Subject: SETTLEMENT

WHY would you ever bring a monopoly action and then settle by giving the guilty party more opportunities to control the market. Giving school computers ONLY CUTS THE MARKET FOR OTHER SYSTEMS. Does this in turn increase competition?

MTC-00014220

From: Freelance
To: Microsoft ATR
Date: 1/21/02 9:40am
Subject: Proposed Settlement

I think the proposed settlement by Microsoft is as huge joke.

I must give them credit. There thinking is brilliant. Since they are going to have to pony up a lot of hard cold cash, they figured out a way to make it do some work for them. So not only are they paying their debt to society, they are also making huge inroads into new markets, furthering their strangle hold on the competition and furthering their monopoly.

Ironic is it not. . . since this type of practice is what originally got them into trouble in the first place.

LR

MTC-00014221

From: trenton.browne@tbis1.net@inetgw

To: Microsoft ATR
Date: 1/21/02 9:30am
Subject: Microsoft Settlement

I am a very concerned citizen living in Germany.

I am concerned about the Proposed Final Judgement in the Microsoft case. If Microsoft is allowed to further develop their effective monopoly, starting in PC operating systems, into network and internet server systems, it will not only hinder development by start up companies in these areas. It will endanger the national security of the United States by forcing government agencies to standardize on systems that offer less than optimal security.

This makes this case critically important. The Compliance Board should be made up of 5 members (not 3). With the following appointees; 1 from Microsoft, 1 from DOJ, 1 from FTC because as a virtual monopoly, it is vital that pricing and it's effects on trade be closely monitored.

1 from FCC because Microsoft is much more than a computer software company. It is also a communications company.

1 from IT industry without association with Microsoft and appointed by the three above. In case of tie vote, The government agencies would vote among themselves.

Trenton Browne
Verdistr. 15
76684 ?stringen
Germany
Tele: +49-7253-92243
Fax: +49-7253-26465
Email: trenton.browne@tbs1.net

MTC-00014222

From: Allen Falk
To: Microsoft ATR
Date: 1/21/02 10:02 am
Subject: Microsoft CC: fin@
mobilizationoffice.com@inetgw

Allen Falk
3054 W. State Street
Springfield, Mo. 65802
E-Mail-Wtgallen@Hotmail.com
January 21, 2001
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

My name is Allen Falk, and I am a resident of Springfield, Missouri. I am writing to ask you to end the ridiculous Microsoft antitrust litigation and settle the case NOW. While I know the case did not begin on your watch, I hope you have come to understand how ridiculous this case was from the outset. Microsoft and Bill Gates are being punished for being successful. The government is not taking into consideration the welfare of the American economy or the American people. Further delays in the settlement will only hinder economic growth and will continue to hurt the American people.

Microsoft has been required to make concessions they should never have been required to make, because some other less successful company had made some petty case to the government, with the sole purpose of getting a bigger piece of the pie. The Government was wrong in this matter. Regardless, this matter needs to be settled,

and the sooner the better. Microsoft has agreed to open the Windows system to competition and has agreed to curb marketing restrictions. They have gone far enough. They should be allowed to get back to business. I ask that you do the right thing and settle this matter ASAP.

Thank you for your consideration.

Sincerely,
Allen Falk

MTC-00014223

From: Michelle Pruskin
To: Microsoft ATR
Date: 1/21/02 10:02am
Subject: Microsoft Settlement
It's time to move on!

Microsoft has done a tremendous job in creating opportunities for small companies like mine. They should be praised instead of punished. Enough already- case closed!

Michelle Pruskin

MTC-00014224

From: BWeeks@indmolding.com@inetgw
To: Microsoft ATR
Date: 1/21/02 10:11am
Subject: Microsoft settlement

This settlement is an abomination—an example of laziness and lack of will which can only result in further illegal behavior. I fail to see how since it “was only money”, but in huge amounts, this criminal behavior is somehow less worthy of serious punishment and deterrence than any other crime. Microsoft is a pirate organization from the top down; they have proven themselves to be amoral and corrupt. The company produces a shoddy product and then uses illegal means to prop it up in the marketplace. Break up this street gang in suits, force them to compete legally and fairly, and they will wither away. As they wither, the jobs they shed will not be lost, but will actually produce more and more as the market allows true innovators to prosper.

I am an IS professional, and I estimate that Microsoft has cost my company well over \$250K in the last several years due to incompetence and illegal behavior. This is a tax which the settlement you are proposing will only extend into perpetuity.

I am irrevocably opposed to any settlement short of breaking up Microsoft into at least 3 separate operating companies.

Bill Weaks
Director, MIS
Industrial Molding Corp
806.474.1055
806.474.1168 (fax)
CC:margrave4@home.com@inetgw, r1100ra@cox.net@inetgw

MTC-00014225

From: Terry Rhoades
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/21/02 10:35am
Subject: Microsoft settlement
1300 Riverland Road
Fort Lauderdale, FL 33312-2961
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
January 17, 2002

Dear Mr. Ashcroft:

I was greatly pleased to note that a proposed settlement for the Microsoft antitrust case has been announced. The terms of the settlement appear reasonable and fair to all concerned parties.

Microsoft has agreed to make their Windows interfaces and protocol available to competitors so that they may attach their non-Microsoft products. Microsoft has also agreed to allow a committee to monitor their progress in complying with all provisions of the settlement. At this point, the IT industry needs to be able to move on and develop technologies without the burden of further litigation. I am in full support of the proposed settlement that is currently before the court.

Thank you.

Sincerely,
Terry Rhoades
1300 Riverland Road
Ft. Lauderdale, FL 33312

MTC-00014226

From: Bmccole9@aol.com@inetgw
To: Microsoft ATR
Date: 1/21/02 10:30am
Subject: Microsoft Settlement

Dear Attorney General,

It is very important that you side on the part of Microsoft in their freedom to innovate. We need a stimulus to the economy right now and this is one way to do it.

Thank you for your concern in this matter.
BMCCole 9.com

MTC-00014227

From: Perry Vath
To: Microsoft ATR
Date: 1/21/02 10:33am
Subject: Microsoft Settlement

The only way this “settlement” would make sense, is if Microsoft was only able to donate NON-Microsoft products to schools. Otherwise, it allows Microsoft to make further monopolistic inroads in one of the few areas where they don't dominate, the school system. And, it's not Microsoft doing the bullying this time—it's the US Supreme Court that's forcing Microsoft on young children and indoctrinating them into a Microsoft life-style.

Perry Vath
1954 Andrea Lane
Pace, FL 32571

MTC-00014228

From: Bob Corman
To: Microsoft ATR
Date: 1/21/02 10:43am
Subject: Microsoft settlement

Hello,

If Microsoft's settlement offer was genuine, they should have said that they would do it regardless of whether it was accepted or not. Otherwise, it's just another marketing tactic.

Bob Corman

MTC-00014229

From: Ric Emery
To: Microsoft ATR
Date: 1/21/02 10:42am
Subject: Microsoft Settlement
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW

Washington, DC 20530-0001

Dear Mr. Ashcroft:

The recent antitrust lawsuit against Microsoft has gone on for too long. It is time to accept the terms of the settlement and finally close this case.

Microsoft is a leading innovator of technology and should be applauded for all it has done. The terms of settlement seem to be a slap in the face. They require Microsoft to disclose internal interfaces and protocols for use by competitors. The terms also call for Microsoft to design future versions of Windows so that competitors can more easily promote their own products. I do not think the settlement represents the best interest of a free market economy, but I do think it represents the best interests of the public.

Microsoft has agreed to the terms of the settlement so that the case can finally be closed. I support this settlement as agreed and I hope the opposition is quelled.

Sincerely,

Ric Emery

MTC-00014230

From: Melissa Enderle

To: Microsoft ATR

Date: 1/21/02 11:00am

Subject: Microsoft Settlement

As an educator who has worked with disadvantaged children, I would like to offer my feedback on the Microsoft Settlement. I taught in schools that had a 97% free lunch rate, with about an equal percentage of minority children. Even though the need and desire was demonstrated, the school could not afford to place computers in every classroom. Those computers in the school were outdated and needed maintenance. While some of Microsoft's proposed offer would benefit a few schools, it does nothing to address the real issue.

It has been determined that Microsoft had a monopoly that included unfair practices. Apple is one company that has been hurt. Many smaller software companies that create education software have also been adversely affected. How is placing computers in classrooms with lots of Microsoft products going to help those other software companies? How is this a punishment for Microsoft? What about all the consumers who paid way too much for software, including the buggy operating system? Microsoft mentioned that it would allow for other platform computers to be placed in the particular classrooms, but that those schools that chose the Windows operating system would get more software. That isn't free choice! Cash-strapped schools would logically choose the package deal with more software.

If Microsoft would simply offer money in the way of technology to schools (including funds for teacher inservice on integrating technology into the classroom), then perhaps the settlement proposal would be palatable. I would also like to see people who purchased software get a refund, some sort of fine, and carefully monitor future pricing to ensure that Microsoft doesn't pull the same thing again. Microsoft needs to receive more than a slap on the hand to change its practices.

Quality is often inspired by competition. Microsoft's monopolistic practices have

ensured that this cannot occur. I sincerely hope that the justice system will prevail and accept only judgments that are based on fair practice, and not be influenced by the money/power of companies.

MTC-00014231

From: Dryjy@aol.com@inetgw

To: Microsoft ATR

Date: 1/21/02 10:49am

Subject: Microsoft Settlement

As a concerned citizen it is my opinion that no further litigation is necessary and the case with Microsoft should be settled and no further action taken.

This settlement is fair and would be in the best interest of all.

Joe J. Yarbrough

CC:MSFIN@microsoft.com@inetgw

MTC-00014232

From: Steve Penn

To: Microsoft ATR

Date: 1/21/02 10:53am

Subject: Microsoft Settlement

January 21, 2002

To Whom This Concerns:

I am very grateful for the opportunity for my own small voice in this process. I sincerely hope that each response you may receive is treated with the utmost importance it deserves. This is not an easy task. Everyone's effort with this case however small should receive high praise.

My name is Steve Penn.

I am a creative director/manager, content and technology developer for media to several delivery mediums from print to broadcast to CD media to the internet. I work primarily within the Advertising Industry. Within the past fifteen years most every aspect of my work has involved the integration and deployment of emerging computer technology in both hardware and software configurations. I have produced work on behalf of clients such as Hewlett-Packard, Micron Technology, The New York Times, Prudential, Nike and Microsoft. In this time I have come to learn the many strengths and weaknesses of the many commercial products both hardware and software I must utilize for my livelihood. It is a constant learning curve of testing the latest or pre release versions of software, operating systems, development languages, video/audio hardware and etc. . .

In this time I have also observed and been unduly affected by the many tactics of Microsoft briefly outlined in this current case summary. I have watched with disappointment as Microsoft has bullied its way both legally and financially throughout several industries which comprise my livelihood. Time and again I have embraced technologies and services developed by a third party company only to have Microsoft buy up and kill internally or legally maneuver to force the company out of business only to have Microsoft later come out with this new ?innovations? as its very own. Of course as the case summary implies these products and services have been tied deeply into the Windows OS and only through buying into additional Microsoft development tools or subscriptions are you as a potential developer allowed to have

access. Many times these previous products and services were deployable on several platforms and were most often of superior quality.

In this time I have also consulted for educational and governmental agencies where literally millions of private and taxpayer dollars have been spent to buy additional products, people and training which have been unnecessarily tied to the Windows OS by Microsoft and or its partnering affiliations. Of course as the record describes, you know all this. There is a very long and consistent profile of Microsoft's behavior documented in case after case since its very beginnings contained in the public record. It is this public record of behavior that so aptly illustrates Microsoft's true corporate culture and blatant disregard for fair competition and ultimately consumer benefit.

After having studied the courts proposed remedy and implications of this case. I feel it is but an extremely feeble attempt to curtail only very recent past and possible very recent future Microsoft behavior in regard to these anti trust violations for which it has been found guilty of and has consistently based its operational model upon. What is extremely troubling about this remedy is there seems to be no mention whatsoever of Microsoft's current and future efforts to dominate the Home electronics market, the entertainment industry and our banking systems, to name a few. These proposed remedies appear far too narrow and quickly outdated. They can be easily circumvented in future Microsoft endeavors for which it is currently developing. Also there appears to be no provision for reparation of Microsoft's current and past deeds for the incredible damage they have inflicted to our economy, several industries, innovative technologies they did not invent and ultimately the mass consumer.

I am very disappointed in our legal system for proposing such an apparent politically motivated and blatantly shallow remedy for illegal acts which have and will seemingly continue to rob us all of economic and intellectual resources, freedom and innovation.

I do not have the specific answers, I am but an individual voice that expresses what I know is a very large and pervasive public sentiment. I pray the court will have the courage, wisdom and insight to rectify this apparently inconsistent and incomplete remedy proposal.

Thank You

Sincerely,

Steve Penn

MTC-00014233

From: David

To: Microsoft ATR

Date: 1/21/02 10:59am

Subject: Microsoft Settlement

Dear Sir or Madam,

I do not work for Microsoft nor does anyone in my family. I have disagreed with the case from the beginning. Judge Jackson was biased against Microsoft and could not render a fair judgement. Many companies are guilty of the same charges that Microsoft has been accused of and they continue to operate

today free from interference. Some of the companies complaining against Microsoft are guilty of the same practices. AOL/Timewarner is one of them. Timewarner has had a monopoly on the cable in my area for over twenty years, raising rates far above inflation year after year and no one in the government does anything.

Any punishment against Microsoft should be as little as possible. I have used their products for years and do not feel I have been harmed in any way by Microsoft.

Sincerely,
David Chapman

MTC-00014234

From: Thomas J Towle
To: Microsoft ATR,microsoftsettlement @alexbrubaker.com. . .

Date: 1/21/02 11:01am

Subject: To Whom It May Concern:

To Whom It May Concern:

I think MICROSOFT is a NATIONAL TREASURE !!! The USA is the world leader in the IT arena because of Microsoft. Get off their case and solve the real problems in DC. Get on Enron's case!

It seems that our inept politicians are always biting the hands that feed them. I recall the leering little gnomish bureaucrats doing their gleeful act in front of the TV cameras when Microsoft was found "guilty" of violating the antitrust act.; the typical small-man finally having an opportunity to enlarge his own self-image by getting even with the big guy on the beach who kicked sand on him. (You have to be old enough to remember the Charles Atlas ad of years ago;)

Enough already! Let's get on with our lives and let Microsoft continue to lead the world in IT innovation.

Tom Towle
Mineola, Tx

MTC-00014235

From: Christopher Carr
To: Microsoft ATR
Date: 1/21/02 11:25am
Subject: microsoft settlement

In my opinion the US DOJ settlement with Microsoft is NOT in the best interest of consumers nor businesses. Microsoft has repeatedly violated anti-trust regulations, and shown disdain for previous settlements (the 1994 consent decree, for example.) Their monopoly power has allowed Microsoft to sell inferior products with little concern for the numerous software "bugs" or security holes that users of said software must deal with.

A stern, well enforced penalty against Microsoft (such as publishing source code for Windows APIs and Office Suite specifications) is the best way to punish a monopolistic company and benefit software users with more choices and better innovation (through the competitive marketplace.)

Chris Carr
Support Consultant
CompuCraft, Inc.
Grand Rapids, MI

MTC-00014236

From: LALAAadal@aol.com@inetgw
To: Microsoft ATR

Date: 1/21/02 11:28am
Subject: Microsoft Settlement

I believe this settlement has been prolonged long enough. Please, let's get back to the basics and resolve this once and for all. If Microsoft takes the necessary measures that is required of them. Let Microsoft go on to be the great company that they are!!

Concerned Citizen

MTC-00014237

From: Zoomnewman@aol.com@inetgw

To: Microsoft ATR

Date: 1/21/02 11:38am

Subject: Microsoft settlement

The Department of Justice, Microsoft, and nine of the reasonable and level-headed state attorneys general have reached a settlement in this very long and drawn-out case. Several states are still claiming that the settlement doesn't go far enough, but I think that the settlement is fair and it's time to wrap up this matter and move on. There are some individuals such as Larry Ellison of Oracle, and Scott McNealy of Sun Microsystems who would like this case to drag on in order to distract the competition, but I believe it is a personal issue that these men have with Bill Gates. The country is in an economic recession that is largely due to a downturn in the technology sector. Finalizing this fair and reasonable settlement would help stimulate the technology sector and allow companies to focus on developing new products, rather than worrying about lawsuits.

Sincerely,
Glenn A. Newman

MTC-00014238

From: Tabby Stone
To: Microsoft ATR
Date: 1/21/02 11:40am
Subject: Microsoft Antitrust Settlement

I don't think the settlement is any significant punishment at all. I think that Microsoft should have to be made to pay CASH as a penalty. But, I also feel that I as a consumer have been screwed by Microsoft and I get nothing out of it. I think they should be forced to give free upgrades to all Microsoft software until it works as advertised without any bugs for at least 2 versions. That would be a significant penalty because it would force them to lose the revenue stream from upgrades which basically fix problems the consumer has been saddled with and makes the consumer pay extra to "improve" a product the consumer paid for once, which was flawed to begin with.

Sincerely,
Tabby Stone
stonetab@hotmail.com
CC:microsoftsettlement@alexbrubaker.com@inetgw

MTC-00014239

From: Boydsusie@cs.com@inetgw

To: Microsoft ATR

Date: 1/21/02 11:41am

Subject: Microsoft Settlement

To: Judge Kollar-Kotally,

I am writing to respectfully file my objection to the proposed settlement before the court in Microsoft vs. US. As a daily user of Microsoft's products, I would like to have

more options from its competitors. The Proposed Final Judgment allows a government sanctioned monopoly which is bad for all computer users and American business. The proposed agreement violates the three required standards from the courts, and is not even enforceable. It threatens all Microsoft competitors, and I object to this special treatment.

Thank you for your kind consideration.

Boyd Johnson, Ph.D.

CC:raj6953@hotmail.com@inetgw

MTC-00014240

From: Marie Kuzma

To: Microsoft Settlement

Date: 1/21/02 10:32am

Subject: Microsoft Settlement

Marie Kuzma

77 Worth Ave

Hamden, CT 06518

January 21, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Marie Kuzma

MTC-00014241

From: Jonathan Jacobs

To: Microsoft ATR

Date: 1/21/02 11:47am

Subject: Anti-trust settlement

To whom it may concern:

I strongly encourage you to maintain the strongest possible opposition to Microsoft's attempts to continue the abuse of its monopolistic practices. The evidence accumulated over the its existence unmistakably points to the conclusion that without drastic and enforced remedies, Microsoft will never alter its unethical, and occasionally, criminal behavior.

Much has been said (almost entirely by Microsoft and its associates, whether openly

identified as such, or not) about Microsoft's history of innovation and its critical importance to the computer industry and to the economy of the United States. These arguments are without merit. Microsoft's "innovations" have been made by the co-opting of other companies' technologies, either by outright purchase of said companies, or by blatant theft, or destruction of their opponents.

This has led to a stagnation of true advances in the computer industry, and a serious weakening of the foundations of computing in general. Just as in biology, diversity is necessary for growth, progress and viability of an organism, the uniformity and flaws of a Microsoft-dominated industry has grave potential consequences, some of which have already been felt.

Mr. Gates recently proclaimed that Microsoft's new goal is security. This is laughable. It is also dangerous and frightening to consider the risk to national security that already exists, let alone what will happen if Microsoft is allowed to proceed unhindered in its stated goal of "Microsoft Everywhere."

Sincerely,

Dr. Jonathan Jacobs

"Theory and practice are the same in theory, but different in practice."

Jonathan Jacobs, Ph.D.

jxj24@po.cwru.edu

Ocular Motility Lab (W151)

VA Medical Center

10701 East Blvd.

Cleveland, OH 44106

(216) 421-3224 (lab) 1(216) 791-3800 x2500 (office)

MTC-00014242

From: The Gosselins

To: Microsoft ATR

Date: 1/21/02 11:49am

Subject: Microsoft Settlement

Gentlemen: Having read some of the depositions concerning the "Microsoft Settlement", we have come to a resounding conclusion. If NETSCAPE NAVIGATOR, an Internet browser, were available on our present WINDOWS 98 OPERATING SYSTEM, we would certainly use it and have no qualms about it.

It should be made available to all PC users. And furthermore, we now believe a competitive browser market would greatly assist other cross-platform Java based developers, especially, in obtaining cross-platform Java technology distributed to end users such as ourselves through the open distribution of non-Microsoft Internet browsers. We appreciate this opportunity for offering our comments.

Sincerely,

Donald E. and Yolande MA Gosselin;

1784 Providence Road;

Northbridge MA 01534-1204

MTC-00014243

From: Mike Porzio

To: Microsoft ATR

Date: 1/21/02 11:52am

Subject: Microsoft Settlement

Renata B. Hesse

Antitrust Division

U.S. Department of Justice

601 D Street NW

Suite 1200

Washington, DC 20530-0001

I don't know to whom I would address this email. I was told that I could express my opinion to the judge of the federal trial court considering this settlement by filing written comments with the United States Department of Justice by January 28, 2002. I am an IT professional (Network Analyst) for a Bloomfield CT company (The J. M. Ney Co.) and have been so for years. I have been doing computer work for 2 decades and I have been following Microsoft's progress and practices since 1980.

Microsoft seems to be the proverbial "400 lb. gorilla". Since the early 90's I have been watching their business practices with fear and alarm. Windows Operating System as a product or as an operating system was originally a very good idea. Touted as a "software bus", the concept was to have a platform the OTHER developers could write software for, to do specialized things, or to enhance the basic operation of the Operating System.

However, when some company wrote some software that used Windows and became successful, Microsoft would either buy the company, or compete with them, driving them out of business. This predatory stance coupled with the "Fear, Uncertainty and Doubt" that MS marketing would promulgate concerning NON-Microsoft products, AND the lack of access to the programming controls (the API's), would make many smaller companies fall by the wayside since just the fear of not being able to make a program work would cause many a consumer to purchase Microsoft products (instead of theirs) just because they might be less of a "hassle" to operate.

I think this may be the core of the "anti-bundling" argument: Microsoft just "assimilates" good products, and one way or the other quashes the smaller company. Why would a normal consumer buy an EXTRA program, from a smaller company, when Microsoft can just "incorporate" similar functionality into Windows and take the sale away from the other company? Also, in a parting note: Why is it that every other component of the personal computer has gotten better AND cheaper, but Windows just goes up in price?

Thank you for reading this,

Mike Porzio

MTC-00014244

From: JuneD1

To: Microsoft ATR

Date: 1/21/02 11:50am

Subject: Microsoft Settlement

Attorney General John Ashcroft:

As you review public comments on the Microsoft anti-trust case, I'd like to add mine and urge settlement.

My personal opinion is that the suit should never have been brought in the first place, and it is now certainly time—after three long years—to move on for the benefit of the economy, the technology industry, and employees and stockholders.

As one of the consumers who has allegedly been harmed by a "monopoly", I'd like to verify that Microsoft's innovation has never

done anything for me but make software more user friendly and cheaper.

After retiring in 1986 from a 30-year career in the petrochemical industry, I worked out of my home as an office procedures consultant. Not only did I have to purchase a computer but every piece of software needed for my work, usually at a cost of about \$300 per software package. Being of the generation that has to struggle with computers, I even had to pay someone to load my operating system. Nowadays, I call Compaq or Dell and they send me a new computer all loaded and ready to roll. No fonts to install to get a special symbol or type of print, no separate clip art, no struggling to import Harvard Graphics or Lotus, no miserable Word Perfect to deal with. Windows operating system, word processing, spreadsheets, e-mail, web browser are all in one easy-to-use package at a fraction of the 1980's prices.

Microsoft just made a better, cheaper mousetrap! Isn't that what American business is supposed to do. . . its called continuing improvement. Perhaps its greatest contribution was standardizing a fledgling technology. I suspect the States Attorneys General who refused to settle on an agreement that was tough, reasonable, and fair to all parties are looking for a way to refill their coffers after using up all the cash they extracted from the tobacco settlement (and reputedly did not spend on health care needs in their respective States).

Are they really interested in the consumer?

Lastly, in our efforts in this country to assure equality, I fear we have abandoned the pursuit of excellence that made our country great. Why should Microsoft be required to share proprietary information its organization created? Are pharmaceutical companies forced to share their research and patents with competitors? Should Walmart be penalized because K-Mart can't keep up? The much maligned corporations in our country, including Microsoft, pay taxes, provide jobs and health insurance, and contribute to countless charities and educational projects. Let's not kill the goose that lays the golden egg. I urge you to stop this trend of penalizing the successful and let Microsoft get back to running its business instead of spending money and effort on litigation.

From a personal standpoint, I'm a senior citizen living on a set pension and social security while helping support a grandson. I'd really like to recover my \$3000 loss on 100 shares of Microsoft stock. It was doing fine til all this litigation started!

From June W. Webster

5506 Enchanted Timbers

Humble, TX 77346

MTC-00014245

From: Marshall Bradley

To: Microsoft ATR

Date: 1/21/02 12:11pm

Subject: Microsoft Settlement

January 21, 2002

Attorney General John Ashcroft

US Department of Justice

950 Pennsylvania Avenue NW.,

Washington, DC20530

Dear Mr. Ashcroft:

I am writing to you to inform you of my thoughts on the Microsoft settlement issue.

This whole debate has gone on long enough. I sincerely hope this dispute will be resolved and no further action will be taken against Microsoft at the federal level. Microsoft has made a huge contribution to our society and economy. At the present, when our economy is challenged, this settlement will do us more good than ever. Under this agreement, Microsoft has pledged to share more information and create more opportunities for other companies. Microsoft has also agreed to be monitored by a technical oversight committee created by the government and to assist in dispute resolutions. Microsoft has agreed not to retaliate against software or hardware developers who develop or promote software that competes with Windows or that runs on software that competes with Widows.

This settlement will benefit our economy. I support it, and hope this comes to an end soon.

Sincerely,
J. Marshall Bradley
CC: Microsoft's Freedom To Innovate
Network

MTC-00014246

From: Geoff Heredia
To: Microsoft ATR
Date: 1/21/02 12:12pm
Subject: Microsoft Settlement

To whom it may concern,
I have been working in the software industry for over 4 years in both large and small companies, and I have advanced degrees in Economics and Business Management from the top universities in our country. I am concerned about the Proposed Final Settlement falling far short of penalizing Microsoft for its clearly anti-competitive business practices. In my view, this agreement lets the company "off the hook" far too lightly for the competition that it has virtually eliminated in 3 main markets: (1) desktop operating system; (2) personal computer productivity software (i.e. spreadsheets, word processing, etc.); and (3) Internet browsing software. The monopolistic position that Microsoft now occupies is not addressed by this settlement. Furthermore, the lack of competition in the 3 markets listed above will continue to offer consumers little or no choices in the software they can use for business and personal. No competition ensures that consumers and businesses will undoubtedly continue to over pay for software that they must buy in order to make any real use of their computers. Additionally, new companies and their product innovations will most likely fail or achieve unfairly limited success because of the extraordinary market challenges posed by the monopoly Microsoft has. I urge you to reconsider this settlement and its terms in the light of market competition. We certainly need competition to bring out the best in our high technology sectors, but we certainly don't need monopolies in our software industry.

Thanks for your consideration,
Geoff Heredia
Dated January 21, 2002
P.O. Box 164
San Juan Bautista, CA 95045
831-673-1358

MTC-00014247

From: Don Montalvo
To: Microsoft ATR
Date: 1/21/02 12:17pm
Subject: Microsoft Settlement

I hardly think Microsoft's 1B offer to education is enough punishment for holding the entire computer industry hostage. Microsoft is such a big company that even the DOJ is powerless in getting them to pay. 1 Billion to education is a drop in the bucket and from the looks of things it appears Microsoft is wiggling out of this punishment by elbowing their way into the education market. . . a market they did not monopolize.

The DOJ needs to hit Microsoft where it hurts in order to prevent this kind of monopoly in the future.

Respectfully,
Don Montalvo, NYC
Don Montalvo
747-10th Avenue, #28i
New York, NY 10019
Home: 212-307-7753
Cell: 347-680-5436
Email: donmontalvo@nyc.rr.com
Web: http://home.nyc.rr.com/donmontalvo

MTC-00014248

From: John
To: Microsoft ATR
Date: 1/21/02 12:20pm
Subject: Microsoft Settlement
2270 Chapel Hill Circle
Stockton, CA 95209-4008
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:
I am writing because I would like to see the Justice Department settle its antitrust lawsuit against Microsoft. Microsoft's success and size has helped the industry standardize, work together efficiently, and grow rapidly. Any further litigation that may call for a breakup of the company is bad for both Microsoft and the computing industry as a whole. The settlement agreed upon is reasonable. Among other things, disclosing internal coding to competitors will allow those companies to write programs that better integrate with Windows.

A key goal in the litigation was to foster more competition to Microsoft in the industry. Given the increased competition that is sure to arise once Microsoft's concessions take effect, I urge you to settle the case.

Sincerely,
John Morotti

MTC-00014249

From: Raj Chand
To: Microsoft ATR
Date: 1/21/02 12:20pm
Subject: Microsoft is being allowed to take over OPENGL with impunity

Hi,
OPENGL is the industry standard 3D language for 3D developers in fields as disparate as aeronautics and computer games. It is one of the few areas left which Microsoft do not have the monopoly on. Microsoft has

its own propriety language called Direct 3D. Yet they have just taken over the patents to Silicon Graphics' technologies including as I understand it OPENGL. This paves the way for Microsoft to kill OPENGL and force Direct 3D as the global standard giving them control over yet another market and unopposed sales of its X-box games system yet they have been allowed to do this with impunity even though they are under so called investigation. How is this possible? Do you not have truth and justice in the USA? Or is Microsoft so big now that they own everyone?

Greatly Insane

MTC-00014250

From: Mike Rerick
To: Microsoft ATR
Date: 1/21/02 12:23pm
Subject: Microsoft settlement

I have been in the software business for twenty years. In that time, I have seen Microsoft grow from a very small company to today's megolithic company. In that time, their business practices have been suspect on more than one occasion. DR-DOS, Lotus 123 running on DOS, the attempted squashing of Netscape, ignoring the earlier consent decree, licensing terms, unfair ability of products to have insider knowledge of the operating system (and get features added that only Microsoft's developers know about). The company behavior that brought the anti-trust suit hasn't changed any. Ever since the threat of breakup has passed, I noticed that their behavior has reverted back to the pre-suit days.

I would like to see very positive action taken to assure that their monopoly is brought under control. A very large fine (several billion would be a good starting point), the removal of all the top company officers/managers, publishing the full API for both operating system and products so everyone can use all added features in them and immediate publishing as new features are added, restrictions on what they are allowed to add to the operating system as bundled software, set the same pricing for all computer vendors for the operating system, allow vendors to change the desktop any way they want with no retribution from Microsoft and very close scrutiny of any companies that Microsoft wants to purchase—if the purchase would seriously impact competition, then it shouldn't be allowed.

Thank you for your time.

Michael Rerick
mrerick@teleport.com

MTC-00014251

From: John Stiles
To: Microsoft ATR
Date: 1/21/02 12:17pm
Subject: Microsoft Settlement
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:
I am writing you today to voice my opinion in regards to the Microsoft antitrust dispute. I am a Microsoft supporter and director of Source of Light -East Africa. I feel this issue should be resolved so we can focus on more important issues.

Microsoft has had a positive impact on the economy and consumers. At a time when the economy is lagging, I feel it would be counterproductive to restrict Microsoft. Microsoft did not get off easy in this settlement. In fact, Microsoft agreed to terms of the settlement that go way beyond the issues of the original lawsuit, for the sake of wrapping this up. Microsoft will be disclosing more information to other companies and will be creating future versions of Windows to make it easier to install non-Microsoft software.

I believe this settlement will benefit the economy, the industry, and consumers. Please support this settlement. Thank you for your time.

Sincerely,
John Stiles
12 Harwich Way, Sharpsburg, GA 30277

MTC-00014252

From: Charles Clemons
To: Microsoft ATR
Date: 1/21/02 12:27pm
Subject: Microsoft Settlement
700 Landings Way
Savannah, Georgia 31411
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

The Microsoft anti-trust settlement has my support. The Justice Department is smart in finally resolving the case with Microsoft.

The details of the settlement include many concessions on the part of Microsoft. Microsoft has agreed to remove contract restrictions on developers. Software and hardware developers are able to enter into multiple agreements with competing companies under the terms of the settlement. Why would Microsoft allow for these concessions? They know that this settlement is in the best interests of the economy. It is about time Microsoft be allowed to get back to business.

I think that the settlement gives us the best opportunity to get back to business and bring this lawsuit to an end. Thank you for your time regarding this issue.

I am proud to support Mr. Gates for several reasons : Capitalism cannot survive without the innovative entrepreneurship exhibited by Mr. Gates. His willingness to share his rewards with many others , especially in the education field, is commendable.

Sincerely,
Charlie Clemons

MTC-00014253

From: Erik Thorteran
To: Microsoft ATR
Date: 1/21/02 12:33pm
Subject: Re: U.S. v. Microsoft: Settlement Information

Microsoft has done nothing but steal or rip off innovation, and kill competition since the day it began. Windows gives special privileges to Microsoft applications, and integrates Internet Explorer completely. This is not what an operating system is supposed to be. Even now, with Windows XP and the gigantic ad campaign surrounding it, Apple

and other small, innovative companies are being stolen from. Luna (the UI of XP) is a blatant copy of Aqua (The UI of MacOSX), and a dysfunctional one at that. Their Xbox game console is aimed at putting the game console under their iron fist as well.

When confronted with a lawsuit from apple a decade and a half ago (approximately), they changed the law to get away with it. They have been twisting laws, breaking them, and then changing them. Copyright laws underwent hundreds of changes to make their original OS legal.

This has GOT to be stopped, my suggestion is to divide Microsoft. Into as many pieces as possible.

Erik

MTC-00014254

From: Kim (038) David Trimm
To: Microsoft ATR
Date: 1/21/02 12:35pm
Subject: Settlement Comments
To Whom It May Concern,

I am a software engineer with 10 years of experience as a programmer and a system administrator. I have a Masters Degree from Johns Hopkins University and a Bachelors Degree from Georgia Tech in Computer Science. I have closely followed the Microsoft Antitrust Trial and feel that it is my civic duty to oppose the settlement between the Microsoft and the Justice Department. The proposed settlement attempts to restore competition in the Operating System and Software Application markets by forcing Microsoft to "disclose APIs and related Documents" to other software developers (Section III.D). However, in Sections III.J.1 & .2, certain exemptions prevent this disclosure. These exemptions render Section III.D useless for the majority of products that need to interoperate with Microsoft products in order to restore competition. To illustrate this point, I will discuss several areas where competing products need to interoperate but will be prevented by Section III.J.

Samba is a popular software package that allows Unix servers (such as Linux and Sun Microsystems' Solaris) to interoperate with Windows NT Servers and Workstations. Using Samba, Unix servers can share network resources such as files and printers with a Microsoft network. Samba is developed by a group of 20 volunteers and is released under an Open Source License, meaning that the source code for Samba is available for anyone to read and/or modify. Unfortunately, the proposed settlement exempts the Samba team from benefitting from Microsoft's disclosure for several reasons. Section III.J.1 prevents this disclosure because Microsoft networks require authentication to share resources (the exemption states that "No provision . . . shall require Microsoft to . . . disclose . . . portions of the API . . . which would compromise . . . authentication systems . . ."), and Section III.J.2 also prevents this disclosure because Microsoft will never certify the Samba Team as a viable business (the exemption states that the licensee must ". . . meet reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business.")).

Apache is an Open Source web server that competes directly with Microsoft's IIS and

currently powers over 50% of the internet (see www.netcraft.com for details). However, for them to remain competitive, they will also need access to Microsoft's APIs for both the server and client side since Microsoft has monopolized over 90% of the web browser market. While Microsoft may recognize them as a viable business (the Apache Software Foundation is a not-for-profit corporation), Section III.J.1 will permit Microsoft to deny them the ability to interoperate because web servers are considered encryption and authentication systems.

Section III.J is an exceptionally large loophole that Microsoft will use to deny any software developer the ability to compete in any market that Microsoft wishes to monopolize. It can effectively be used to cover Microsoft's Office and multimedia file formats (exempted under the digital rights management clause) and their attempts to control the Internet under their .Net initiative (exempted under the authentication systems clause). Section III.J effectively renders the disclosure clauses in Section III.D useless and will allow Microsoft to keep their illegal monopoly intact.

To solve these inadequacies, I propose that the court completely strike Section III.J from the settlement and force Microsoft to disclose all of their past and future APIs and file formats to an international standards body. The approved standards should then be made freely and publicly available to any competitor who wishes to implement them. Until these protocols become open to all, Microsoft will continue to illegally monopolize any market that it wants.

Sincerely,
David Trimm
119 Arbutus Avenue
Catonsville, MD 21228
(410) 747 4403
kstrimm@home.com
CC:kstrimm@home.com@ inetgw.ktzen@
home.com@inetgw

MTC-00014255

From: Goozog@aol.com@inetgw
To: Microsoft ATR
Date: 1/21/02 1:09pm
Subject: Microsoft settlement
January 20, 2002

Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Attorney General Ashcroft:

As a concerned citizen, I write you in reference to the recent settlement between Microsoft and the Department of Justice. It baffles me when I hear that the process is being even further scrutinized. After three years of well thought out negotiations, it is ridiculous to continue to pick apart the terms of this agreement. Microsoft, the Department of Justice, the nine states and a mediator have carefully arrived at these terms, which are more than fair to Microsoft's competitors.

Microsoft has agreed to reconfigure licensing and marketing agreements and has agreed to do so under the supervision of a technical committee that has been set up for just that. Microsoft has also agreed to design future versions of Windows that will promote easier installation of non-Microsoft software.

It is evident that the terms of the agreement do a great deal to promote the use of non-Microsoft software. Obviously, Microsoft is acting in the interest of our IT sector as a whole. Therefore, so should the government.

I urge you to help get our technology industry back to business by stopping any further litigation against this settlement. I thank you for your time and, in advance, for your support.

Sincerely,
Todd Hester
508 Albert Dr.
Sinking Spring, Pa.
19608
cc: Senator Rick Santorum

MTC-00014256

From: Mark McFarland
To: Microsoft ATR
Date: 1/21/02 1:14pm
Subject: Microsoft Settlement

Dear Department of Justice,

I would like to comment on the Microsoft case. I think the proposed settlement is a bad one, for although it will cost Microsoft some money, it will also give them an enormous boost in the education market, one of the few areas where Wintel machines do not represent an overwhelming majority. In other words, the case against Microsoft was supposed to curb their monopolistic practices, while the proposed settlement actually helps them in this regard. And make no mistake, Microsoft is a monopolistic company. I am surprised that no one has commented on the illogic of two statements repeatedly made by Microsoft: first, they claim that they are not a monopoly, but they also claim that multiple operating systems would hurt the consumer since this would sow confusion. There are already competing operating systems—the two most popular are the Mac OS and Linux—and these two platforms have a dedicated customer base that is not confused or offput by the difficulties inherent in working outside the Windows hegemony. This point needs to be made clear to the public in order to push for a truly fair settlement and to counter Microsoft's aggressive public relations campaign against the anti-trust lawsuit. In conclusion, I encourage the Department of Justice to push for a harsher penalty against Microsoft, one that punishes, rather than rewards, them for their monopolistic practices. —

Mark McFarland
Assistant Professor of Music Theory
Southeastern Louisiana University
Department of Music & Dramatic Arts
P.O. Box 10815
Hammond, LA 70402
(985) 549-5035

MTC-00014257

From: Neil Randle
To: Microsoft ATR
Date: 1/21/02 1:17pm
Subject: atty gen letter

I sent it last week and called your 800 number and told them so.

Neil Randle

MTC-00014258

From: Don Cummings
To: Microsoft ATR

Date: 1/21/02 1:13 pm
Subject: Microsoft Case
Donald W. Cummings
90 South Rose Boulevard
Akron, Ohio 44302-1064
Tel.: (330) 867-6224
Fax: (330) 867-6224
e-mail: tensor@neo.rr.com
January 16, 2002

Attorney General John Ashcroft
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Sir:

I am writing to express my opinions regarding the Microsoft antitrust case. I feel that the settlement agreement reached between the Department of Justice and Microsoft was fair and reasonable. It was received after extensive negotiations with a court-appointed negotiator, and has already been approved by nine states.

I am disturbed by the trend that has arisen since the tobacco settlements, whereby lawsuits are used as forms of state revenue generators. I am also disturbed by what I see as an attack by cry-babies who cannot compete in the free market, and by people whose real agenda it is to attack free enterprise and capitalism.

I feel that if this case is judged by its merits, then one cannot help but see that Microsoft has granted more concessions than was first asked of it. Microsoft has changed the way it licenses, develops, and markets its software. These changes are evident in its decision to license Windows to the twenty largest computer manufacturers, and make available to its competitors any protocols implemented in Windows. Microsoft has basically granted free access to its invention to all that would compete with it. Microsoft has even agreed to allow computer makers to configure Windows so as to promote non-Microsoft software that competes with programs included within Windows.

I understand that the issues that brought about the suit in the first place may have been valid, but that was years and countless dollars ago. Microsoft will soon make or has already made the necessary changes. The only reason that states would consider pursuing further litigation is for a return on investment, rather than a concern for the public welfare. If need be, I hope you will see fit to protect Microsoft just as expensively as you have protected the competition. In the meantime, at minimum, please accept the settlement.

Very truly yours,
Donald W. Cummings

MTC-00014259

From: Mark A. Clawson
To: Microsoft ATR
Date: 1/21/02 1:17pm
Subject: Microsoft Settlement

To whom it may concern,

I have been using and programming computers since the early 80s. During that time I've seen many hardware and software companies rise and fall. Sadly, in my opinion, I have seen too many companies develop great products and have Microsoft come to them and "learn" from them but in reality steal their code and ideas. Take a look at the litigation Microsoft has undergone to

see what I mean. Microsoft has no qualms about stealing someone's code and then justifying the theft with a settlement. Even the well publicized \$150 million "invested" in Apple was in reality a payoff for pending patent litigation.

Microsoft will never propose any settlement that does not permit them to continue doing what they have always done. Their current proposal would do the unthinkable, give them a leg up in a market area where they currently do not dominate. By donating "refurbished PCs" (read leftover machines after upgrading in-house) and software (read their software, which costs a small fraction to make in comparison to what it retails for) Microsoft gives a surface level display of remorse that in reality furthers its own agenda. A more adequate requirement would have Microsoft spend the \$1 billion on new machines that did not run their operating system, such as Linux or Macintoshes. The findings of fact are clear. Do not reward Microsoft for monopolistic behavior. Microsoft will continue to practice business the same way they always have until you tell them they can't, and back it up with sufficient muscle to force them to change the way they do business.

Any remedy that doesn't hurt them is no remedy at all.

Mark Clawson
Clearfield, UT

MTC-00014260

From: Barbara Stepan
To: Microsoft ATR
Date: 1/21/02 1:19pm
Subject: Microsoft Settlement

Dear Sirs,

I hope that this will be settled soon and that Microsoft will not be stopped in their efforts in innovation and bringing us new and better products at lower prices. The public is not being hurt by Microsoft. Millions of people trust Microsoft with their stock for surviving in retirement. We do not have to buy Microsoft, we want to because it's better. The big thing is we have a choice! The phone and cable companies however is where we the public are helpless, with no choices. That is where we need protection, not from Microsoft.

Thank you for listening and hopefully making the right choice for the people and not the special interest companies that are against Microsoft.

Best Regards,
Barbara Stepan
14265 120th Pl. N.E.
Kirkland, WA 98034

MTC-00014261

From: Tom Miller
To: Microsoft ATR
Date: 1/21/02 1:45pm
Subject: Too Easy on Microsoft

I just want to voice my concerns about what appears to be too little too late. Those of us who have had to deal with Microsoft Windows in its many flavors, since the early 90's, know full well that the company has not disclosed all necessary information to 3rd parties.

I have been using Wordperfect and Lotus products from the old DOS days and have

preferred to keep using those products. However, the stability of Wordperfect, for one, in the Windows environment leaves much to be desired. It is obvious Microsoft has inside information that allows them to produce an office suite that works within Windows far better than anyone else.

Additionally, I find it abhorrent that the government is too stupid to realize that the bundling of applications, and Internet Explorer is just another application, is against the most basic of our anti-trust laws. We, the consumer and the competition, need government intervention to stop Microsoft from continually abusing its position. I want choices and I do not want Microsoft bundled products. I want a choice of all office suites when I buy a PC, not just Microsoft Office. I want a choice of what browser and email programs are on my PC, not just Microsoft's. Furthermore, I want those programs to work at least as good as Microsoft's within the Window's environment. I am sick and tired of Microsoft bundling software with the operating system and jamming it down our throats. I don't need Microsoft to provide email software like Outlook Express or even Outlook, that is so full of security holes that I might just as well post a web site banner saying "send viruses here".

Unfortunately, there are too many consumers who are totally clueless and accept everything Microsoft hands down. The government needs to realize these people have no idea there are choices that may be better than what Microsoft has provided. Listen to the IS people, the IT people, the engineers and technical people—we are all saying Microsoft needs a short leash and now. Judge Jackson was correct in his assessment that Microsoft should be broken up as part of the remedy. What is done now must be severe and strict controls must be put in place as soon as possible. The gov't already dropped the ball by letting Microsoft issue Windows XP with even more bundled crap. It is time to level the playing field and get Microsoft under control.

Tom Miller
GAC Chemical
PO Box 436
Kidder Point Road
Searsport, ME 04974
Ph: 207-548-2525 / Fax: 207-548-2891
email: miller@gacchemical.com

MTC-00014262

From: Eugene Chi
To: Microsoft ATR
Date: 1/21/02 1:33pm
Subject: Microsoft Settlement

Dear Sir or Madam,
I am writing to you about the Proposed Final Judgment on Microsoft. 2 areas I am concerned on is that the judgment does not address the arbitrary nature of what products or services gets added to the Microsoft Operating System. By adding on otherwise standalone products to the OS, smaller companies have an unfair disadvantage of competing against an OS that already has a product that they are trying to sell.

Also, the judgment does not does not restrict Microsoft's ability to modify, alter or refuse to support computer industry standards, including Java, or to engage in

campaigns to deceive developers of rival platforms, middleware or applications software. Java technologies exclusion in Microsoft's XP operating system is more than just an oversight.

Please include these concerns with others in the community to express my concern within the software industry of this anti-competitive threat that Microsoft will continue to have on this industry. Free competition will allow thriving new business to form and ultimately help the consumers with excellent products at competitive prices.

Eugene Chi
Director
IT.CRM Implementation Services
500 Marine World Parkway
Redwood Shores, CA USA
+1 650.607.5843

MTC-00014263

From: Amy Schmidt
To: Microsoft ATR
Date: 1/21/02 1:31pm
Subject: Microsoft Settlement

Honorable Judge Kollar-Kotally,
Microsoft has repeatedly used its monopoly power to reap profits, and every court has agreed with this. The proposed settlement before you does nothing to undo the billions of dollars Microsoft has gained, and it doesn't protect us from the company employing anti-competitive tactics in the future.

I urge you to reject the proposed final judgment in the U.S. vs. Microsoft case.

Sincerely,
Amy Schmidt
198 Tillman Ave
San Jose, CA 95126
408/292-1400

MTC-00014264

From: Brett Sher
To: Microsoft ATR
Date: 1/21/02 1:36pm
Subject: Microsoft settlement

Microsoft has been found to have an illegal monopoly of desktop computer operating systems. This monopoly gives them the power to expand into other areas beside operating systems (Internet browsing, media delivery, electronic commerce, etc.). Microsoft's obvious stranglehold inhibits investors from supporting other companies which would seek to offer alternatives to Microsoft technologies. This is bad and inhibits innovation.

Microsoft's omnipresence is also a source of vulnerability to computer viruses (a common platform is easier to corrupt). America needs software diversity to protect itself against cyber attacks.

Any settlement must be designed to eliminate Microsoft's desktop monopoly, and not be just a slap on the wrist. Even if today Microsoft was forced to drop the underhanded tactics and fight fairly in the marketplace, they would benefit from an overwhelming advantage gained by years of bullying, bundling, dumping, lying and intimidating. Microsoft must be severely hobbled until a healthy competitive market can reemerge.

Be tough.

Brett Sher
808 Gale Drive
campbell, CA 95008

MTC-00014265

From: steves@fortemusic.net@inetgw
To: Microsoft ATR
Date: 1/21/02 1:41 pm
Subject: Microsoft Settlement

With a market share of more than 90%, Microsoft has a profound advantage over companies such as Netscape, Real Networks, and Apple, who are fighting a perpetual uphill battle to maintain a presence in the market. Any application software that Microsoft chooses to package with its Windows operating system is guaranteed to push all other competitors out of the market. Netscape's browser software used to be the most widely used internet software. Once Microsoft started bundling Explorer with Windows, Netscape's market share dropped to almost nothing. Real Networks and Apple computer face similar fates with their media products (RealAudio, and QuickTime) which are steadily being pushed out of the market by Windows Media software bundled with every Intel PC.

Action must be taken to restore a balanced and competitive software market, in which the success of a software application is based on its quality, performance, and utility, not the fact that it's bundled for free with an operating system that runs on the majority of the world's personal computers. The proposed Final Judgment is too weak to counter Microsoft's monopoly position in the market, and I urge the DOJ to pursue the breakup of Microsoft into two separate companies for operating systems (Windows) and applications (Word, Excel, Explorer, etc.). This solution will help maintain a healthy and innovative American software industry for years to come.

Steve Salani
Los Angeles.s

MTC-00014266

From: Vern Scoggins
To: Microsoft ATR
Date: 1/21/02 1:42pm
Subject: Microsoft Settlement
13937 Dove Hunt Place
Charlotte, North Carolina 28277
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I want to use this opportunity to express my support for the settlement reached last November between Microsoft and the Department of Justice. I believe it is time to move forward and allow both sides to concentrate on more important matters.

The settlement is comprehensive and requires many changes on the part of Microsoft. For example, Microsoft has agreed to design future versions of Windows to provide a mechanism to make it easy for computer makers, consumers and software developers to promote non-Microsoft software within Windows. Consumers will have the freedom to easily add or remove access features built in to Windows or to

non-Microsoft software. And to assure this and other provisions are met, Microsoft agreed to the formation of a technical committee that will monitor the company's business practices going forward.

This case has been going on long enough. It is time for Microsoft to get back to competing and designing new software. And it is time for the government to use taxpayer money on more urgent matters like stimulating the economy.

Sincerely,
Vern Scoggins

MTC-00014268

From: Jesse Walker
To: Microsoft ATR
Date: 1/21/02 1:44pm
Subject: Re: U.S. v. Microsoft: Settlement Information

Don't let this evil corporation further its monopoly power. The U.S. government is the last hope the people have of ridding ourselves of this incredible evil. Plain and simple Microsoft needs to have no future in the American landscape. Let the evil empire crumble!

Jesse Walker

MTC-00014269

From: Alison McFarland
To: Microsoft ATR
Date: 1/21/02 1:45pm
Subject: Microsoft Settlement

I would like to comment on the Microsoft case. I am familiar with several operating systems, including Windows, and use Microsoft software routinely. Although the company makes good products, I am against this settlement. It is a Trojan horse: of course our impoverished schools need computers, and Microsoft is savvy enough to use that inarguable point as a means of further expanding their monopolistic practices. Although Microsoft ostensibly offers a choice of platforms to the schools, few administrators would choose anything other than the dominant Wintel system—dominant precisely because it is a monopoly—over the other platforms. The amount of money it would cost Microsoft to supply the schools is not only relatively painless for them, it is a sound investment in continuing monopoly. Meanwhile, Microsoft is waging an aggressive and effective campaign of public opinion against the anti-trust laws that are trying to contain it.

Whether one admires the products and the success of this company, it must be curtailed in a meaningful way in order to maintain the amount of competition the market offers. I do not wish to see a future in which our only choice for information technology is a single monopoly. I urge you to find a harsher settlement that serves as a deterrent to their practices.

Alison Sanders McFarland
Assistant professor
Louisiana State University

MTC-00014270

From: Louis Grossman
To: Microsoft ATR
Date: 1/21/02 1:46pm
Subject: AN 89 YEAR OLD RETIREE'S
PROTEST TO THE ACTION VERSUS
MICROSOFT BY THE STONE AGE 9

STATES.

I AM 89 years old, born in 1913 in Portsmouth, N. H.—now retired and living in Florida * * * have voted EVERY year since becoming of age—served as a Volunteer in the U.S. Army 1940–1941 thereupon RELEASED per my 1 year volunteer status under the “29 year old volunteer agreement”—then a few days later, on Pearl Harbor Day Dec. 7, 1941 was recalled to Active Duty and served until 1946, transferred into the Mass. Reserves, wherein I served until received honorable discharge in 1953—13 years of loyalty to my country U>S>A>—Now, at 89, almost DEAF, Very reliant on the computer's EMAIL and INTERNET SERVICES which were Microsoft's Miracle gifts to humanity,—and NOW condemned—litigated—hounded by our 9 States’ stone-age Attorney Generals—for WHAT Purpose? Is it that they wish to return to our Pre-Computer, Pre-Wireless, Pre-EMails—Pre-progress??? Or, is it the grubbiness of political recognition or WHAT???

As a Deaf, Patriotic Voter, 13 year serviceman for our country—I hereby wish to be heard—I HEARTILY SINCERELY AND WITHOUT PERSONAL GAIN REASONS * * * PROTEST TO THIS PUNITIVE, AND UNJUST LITIGATION.

Let Microsoft alone. Give it the freedom from divisive legal time wasting action to CONTINUE TO CREATE—let them have freedom for MORE creativeness and improvements to their having gifted us with their ingenuity and research and development to their Miracles of communication already benefiting our Country. STOP this litigation. FIND for Microsoft to allow them to continue benefiting US. PLEASE !!!

LOUIS P. GROSSMAN and Wife—Blanche Grossman and we convey the opinions of HUNDREDS OF OUR FRIENDS AND NEIGHBORS.

MTC-00014271

From: Jrb051469@aol.com@inetgw
To: Microsoft ATR
Date: 1/21/02 1:48pm
Subject: Microsoft Settlement

Microsoft should receive close to the same treatment they have shown their competition. They should pay retribution to any company effected negatively by Microsoft, still around or forced out of business. Maybe, force Microsoft out of the marketplace for X number of years. Bill Gates and Microsoft should be seriously effected by the settlement.

MTC-00014272

From: ronald johnson
To: Microsoft ATR
Date: 1/21/02 1:39pm
Subject: Microsoft Settlement
Ronald L. Johnson
462 Indian Greens Lane
Manns Choice, PA 15550-8042
(814) 623-7383
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
January 21, 2002

Dear Mr. Ashcroft:

I have not been in full support of this lawsuit from the beginning and am happy to see it finally over. I hope that people will realize what a good settlement that you have worked out and I hope that they come to accept it as well.

The settlement reached was fairly negotiated and equitable for both sides. Microsoft did not get off easy by any means. The settlement does, however, answer most of the complaints from Microsoft's competitors without needlessly burdening the company. For instance, Microsoft will be disclosing internal interface information to its competitors as well as designing future versions of Windows so that software developers and consumers can more easily promote their own products.

I hope that you will listen to the opinion of the many people who write into you, who daily depend on and support Microsoft and their products. Microsoft is a fine company and deserves the opportunity to compete aggressively for business. This settlement gives them that opportunity without denying others that same opportunity.

Sincerely,
Ronald Johnson

MTC-00014273

From: MBVath@aol.com@inetgw
To: Microsoft ATR
Date: 1/21/02 1:51pm
Subject: Microsoft Legal Action

Sir/Madam: I own 100 shares of Microsoft stock. I urge support for the settlement agreed to by the US, many states and Microsoft. Based on the facts reported in the newspapers and my own non-professional purchase and usage of computers it appears that the terms of the settlement appropriately address the concerns expressed in the verdicts. As a non-expert computer user the Microsoft products make it easier for me and the prices appear comparable to other products. Also, given the speed with which technology changes, we would be better served if Microsoft's competitors (I own small amounts of some of them as well) would work together and come up with truly competitive products without undue interference from the courts. Further, the remaining states and Microsoft should in due course be encouraged to settle the remaining part of the case. Thank you for your consideration. CC:FIN@mobilizationoffice.com@inetgw

MTC-00014274

From: Cheryl B. Richardson
To: Microsoft ATR
Date: 1/21/02 1:55pm
Cheryl Richardson
2704 S Surrey Drive
Carrollton, TX 75006-4770
January 18, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

The purpose of this letter is to express my support of the Microsoft antitrust settlement. Three years have now passed since this case was introduced by the Department of Justice.

Since this time an enormous amount of time and energy has been wasted in trying to mediate this issue. During these economic times, I believe taxpayers would rather have their resources spent on more pressing issues.

Microsoft has been generous throughout this dispute. Wishing for a resolution, Microsoft agreed to many stipulations. Microsoft has agreed to the formation of a technical review board. This board will be composed of external members whose position is to ensure that Microsoft follows the terms of the agreement. I would hope that this would reassure those wary of the settlement's seriousness.

Please enact the settlement at the end of January, as it is in the best public interest. Thank you.

Sincerely,
Cheryl Richardson

MTC-00014275

From: Karl Maher
To: Microsoft ATR
Date: 1/20/21 1:56pm
Subject: Re Microsoft Settlement

Dear General Ashcroft:

Microsoft has agreed to deliver a pound of flesh and to swear off any skin grafts in the future. Would you please now put this ridiculous lawsuit to rest? Here we've had DOJ, for the last 10 years, trying to cripple the most successful company in the world, while it paid no attention whatsoever to the gigantic fraud at Enron. Admittedly, this was mostly Clinton administration payoff to its aggrieved campaign contributors, but the Bush administration doesn't seem to operate that way. It's your call now!

I know you've got better things to do than to keep up this pointless pursuit of Bill Gates.

Sincerely,
Karl Maher
5107 Laurel View Dr.
Winston-Salem, NC 27104
336-659-6800

MTC-00014276

From: Sam Gill
To: Microsoft ATR
Date: 1/21/02 1:58pm
Subject: Microsoft Settlement
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am a professor of information systems at San Francisco State University. It is important to me that I send my students out into a field of work that is stable and profitable. At the same time I want them to be able to engage in fair business practices. For these reasons I am pleased that we have finally reached a settlement in the antitrust dispute against Microsoft. I feel that this suit has created a great deal of trouble within the technology industry, and I feel that at this time we do not need uncertainty in our fledgling profession.

This settlement is fair and I believe that with it in place we can finally begin moving forward again in the utilization of Information Technology in the workplace

without the uncertainty that has held us captive during the period of the Microsoft lawsuit. Microsoft will no longer be permitted to engage in monopolistic business practices. The company will design all future versions of its Windows operating system to be compatible with the products of its competitors. The company will also refrain from committing any further retaliatory actions against its competitors.

I believe that with these provisions in place we will finally be able to get back to the business of innovation. This nation is the worldwide leader of the IT industry, and this is greatly due to the innovation and ingenuity of the Microsoft Corporation, we do not need to destroy one of this nation's best and brightest stars of the IT sector. Thank you for this opportunity to express my position.

Sincerely,
Sam Gill
Professor, Information Systems
San Francisco State University
SamGill@msn.com or SGill@sfsu.edu (650)
346-4700 or (650) 572-4731

MTC-00014277

From: Jackie Landreth
To: "microsoft.atr(a)usdoj.gov"
Date: 1/21/02 2:10pm
Subject: Microsoft Settlement

To whom it may concern:

Please allow the Microsoft settlement to go through as presently outlined.

Please stop harassing Microsoft! I believe their products are a great value and Microsoft is constantly improving them. Microsoft has succeeded against competitors because their products keep improving and are better and are easier to use than the competition, not because Microsoft has a monopoly. I deeply resent that you are using my taxes to hamper and harass Microsoft. The competitors should improve their products to compete with Microsoft, not use the government to mandate an unfair playing ground.

Jackie Landreth
Chief Financial Officer
Unitek Miyachi International, Ltd.
CC:MSFIN(a)Microsoft.com"

MTC-00014278

From: Connie Melton
To: Microsoft ATR
Date: 1/21/02 2:07 pm
1902 W Tuliptree Drive SE
Huntsville, AL 35803-1744
(256) 881-8655
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
Washington, DC 20530-0001

Dear Attorney General Ashcroft:

As a supporter of Microsoft, I write you with concern over the recent developments in the Microsoft settlement. I was happy to learn that the settlement had finally been reached, but was a bit upset when I learned that it is being further delayed. After three years of negotiations it seems ridiculous to further dissect this well thought out agreement. The terms that have been reached are fair and reasonable and should be allowed stand.

Microsoft has agreed to make various changes in areas such as relations with

developers and computer makers, including licensing, marketing and even design. Because the focus of these compliances is supporting non-Microsoft software, it is evident that Microsoft is negotiating with all parties in mind. This is a step toward a more unified IT sector and a step toward a stronger economy. So, why hold up this process any longer?

I urge your help stop any further actions against this agreement. It is clear that further litigation can only harm our economy at this point in time, so let us move forward. I thank you for your help.

Sincerely,
Connie Melton

MTC-00014279

From: radman01@juno.com@inetgw
To: Microsoft ATR
Date: 1/21/02 2:06pm
Subject: Anti-trust Settlement

I believe that the anti-trust settlement as proposed will be good for the country and Microsoft. I support the proposal.

William J. Radak
28948 Weybridge Drive
Westlake OH 44145

MTC-00014280

From: Bob Hedall
To: Microsoft ATR
Date: 1/21/02 2:11pm
Subject: Microsoft Case
To Whom I May Concern:

I have commented on your Microsoft case before and reiterate my concern that the government is infringing on private industry operations. MS has done nothing that all of their competitors are not doing. The only difference is that MS is bigger and is doing a better job of promoting their products. MS has been a major force in making personal computers and software affordable to the public and they have done so by packaging their products. This practice is common amongst private manufacturers that are lucky enough to have some unique products. The computer generation would not have advanced nearly as rapidly were it not for MS.

They have been punished enough and the rest of us have paid enough of our money in the persecution of an innocent party.

Please let the ruling stand and stop the ridiculous litigation.

Bob Hedall

MTC-00014281

From: Ameta Macaluso
To: Microsoft ATR
Date: 1/21/02 2:14pm
Subject: Microsoft Settlement
Clear Day P.O. Box 11408
Bainbridge Island, WA 98110-5408
January 21, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I am writing to express my opinion that the recent settlement between the US Department of Justice and Microsoft is in the best interests of the American public. I think further litigation would be detrimental to a company that has revolutionized the IT

industry and made so many contributions to our country.

I realize that at times Microsoft's marketing tactics were a bit heavy-handed, but their aggressiveness only reflects the incentives of our capitalist society, and they are not alone in this respect. I believe they are being targeted for their success, not for their tactics. Were other very successful companies prosecuted in this manner, there would be very few left unscathed.

At any rate, the terms of the settlement should be sufficient to appease all parties involved because they address claims of competitors' inability to market their products effectively. Under terms of the settlement Microsoft will design future Windows versions so that others can more easily promote competing products. Microsoft will also grant computer makers broad new rights to configure Windows so as to make it easier for non-Microsoft software to be promoted from within. Surely a fair-minded look at the situation will show that this step, along with other concessions that are being made in the same vein, is enough to address whatever complaints have been lodged.

Please accept the settlement as soon as possible.

Sincerely,
Ameta Macaluso

MTC-00014282

From: SigneHillyard@aol.com@inetgw
To: Microsoft ATR
Date: 1/21/02 2:14pm
Subject: Microsoft Settlement

Dear Judge,

I have been informed of the conduct that Microsoft has taken part in regarding the pfj and I am strongly opposed by it. Microsoft should no longer be given the opportunity to be a monopoly either in the government's eyes or the general public who consumes this type of technology. If Microsoft is allowed to eliminate all other competition then the market for the specific type of technology can only expand and grow at a minimal rate, leaving no room for competition for lower prices, better software and incentives for a variety of programs that can offer different services, these are all disadvantages that the consumer, referring to myself as one of them, will have to face. Please strongly consider this while making your decision. By allowing Microsoft to continue to dominate this specific technological field, the consumer misses out on so many benefits. Thank you for your time.

Signe Hillyard
(213)747-7327
CC:microsoftcomments@doj.ca.gov @
inetgw,dkleinkn@yahoo. . .

MTC-00014283

From: C Eguia
To: Microsoft ATR
Date: 1/21/02 2:13pm
Subject: Microsoft influence on Corel

While it may not be new information, this article appears to show how MSFT dissuades companies from competing with it. Please notice the last 3 paragraphs which read:
". . . It is estimated by PC Data that Corel's Linux division sells about 25 percent of all

Linux operating systems for desktop computers, second only to Red Hat.

Corel made a decision not to enter into a head-to-head battle with Microsoft in the business of word processing software after accepting a \$135 million investment from the software giant in 2000. Microsoft's .NET technology is expected to be embedded in Corel's product line six months after it is released, sometime later this year. " Source: <http://www.wired.com/news/linux/0,1411,46421,00.html>

MTC-00014284

From: fisher
To: Microsoft ATR
Date: 1/21/02 2:24pm
Subject: Microsoft Settlement.

I am opposed to any settlement which permits Microsoft to further dominate the education market by flooding classrooms with its mediocre technology. The proposed settlement simply serves to broaden the Microsoft monopoly. Their predatory marketing practices need to be halted, not adopted by the government as a component of any solution.

Ed Fisher

MTC-00014285

From: Chris Conroy
To: Microsoft ATR
Date: 1/21/02 2:27pm
Subject: Microsoft settlement

I find the currently proposed settlement unacceptable. Microsoft has consistently used their position to stifle competition, discourage innovation and prevent other manufacturers from using alternative operating systems.

Chris Conroy
Heartwood Media Inc.
603/665/9191
<http://www.heartwoodmedia.com>

MTC-00014286

From: Thomas A. Hokel
To: Microsoft ATR
Date: 1/21/02 2:29 pm
Subject: Microsoft Settlement
Dear Attorney General Ashcroft:
Please read my attached, one page Microsoft Word document regarding the Microsoft Settlement.

Sincerely,
Thomas A. Hokel
President and CEO,
Framework Software, Inc.
<<http://www.frameworksoft.com/>>
www.frameworksoft.com <<http://www.frameworksoft.com/>>
President, The Enterprise Framework Group
<<http://www.tefg.com/>> www.tefg.com
<<http://www.tefg.com/>>
Phone: 1-970-453-7293
Fax: 1-970-453-8520
E-mail: thokel@frameworksoft.com

Framework Software, Inc.
P.O. Box 225
Breckenridge, Colorado 80424
January 13, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am taking some time to write to you to express an opinion about the settlement reached in the Microsoft antitrust case. I am one of those who believed that this case should have never gone to trial in the first place, and I also believe that the anti-trust laws are very questionable and subjective (i.e., irrational). In a free enterprise, only the Government can create a monopoly. However, since a settlement exists in this case, and it will end this case, I hope you will see it through and end litigation.

I would ask you to strongly rebuke those that want this case back in court. This case has cost your office and Microsoft millions of dollars and countless man-hours. Both parties could be putting their time to better use than going back to Federal court to expend even more resources. The settlement will end this three-year-old debacle, and I am pleased that you have agreed to it. Be steadfast in your support and work to implement the settlement in this case. There is a huge "silent majority" out there.

Sincerely,
Thomas A. Hokel

MTC-00014287

From: Peter Hartwig
To: Microsoft ATR
Date: 1/21/02 2:31 pm
Subject: Microsoft Settlement
P.O. Box 659

Loxahatchee, Florida 33470
January 13, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Justice Department officials have seen the light and offered a settlement in the Microsoft antitrust case. Microsoft has agreed to this settlement and this should bring an end to this case at the federal level.

The settlement will create more openness and competition in the technology sector of our economy. This settlement stipulates that Microsoft will share its internal interfaces with its rivals. Also Microsoft will share the protocols of their server interoperability. The release of all these Microsoft secrets will be a great help for MS competitors. Furthermore these compromises by Microsoft are unmatched in the history of information technology.

It is unfortunate that some individual and groups have sought to put a negative light on this settlement. I am pleased to see that you agreed to settle.

Sincerely,
Peter Hartwig

MTC-00014288

From: John Macko
To: Microsoft ATR
Date: 1/21/02 2:33pm
Subject: Microsoft Antitrust Settlement

As a supporter of Microsoft, I write you with concern regarding the recent settlement. After three long years of court battles, it seems strange that the settlement is again being challenged. The negotiation of this agreement was not only well thought out, but was in the interest of the Information Technology sector as a whole.

After examining this agreement, it seems evident that all parties involved will benefit from its terms. Not only does Microsoft agree to reconfigure licensing and marketing terms, but also they have agreed to disclose information about certain internal interfaces in Windows. Overall, the agreement is helping to open up the competitive market in our technological industry, which has been the goal from the start. The provisions of the agreement are tough, reasonable, fair to all parties involved, and go beyond the findings of the Court of Appeals ruling.

It seems foolish to waste our resources on dissecting such a well thought out plan. With all the time and effort put into this suit, it seems that it is time to let the technology industry get back to business. Our technology industry only suffers from the delay of this agreement. This delay can do nothing but have a negative effect on our economy.

Please help support further growth of our technology industry by helping to stop any further action taken against this settlement. I appreciate your time and your support.

Sincerely,
John Macko

MTC-00014289

From: charles houghton
To: Microsoft ATR
Date: 1/21/02 2:38pm
Subject: not significant enough

The efforts to settle the Microsoft case have circumvented the protections that Judge Jackson initially laid down. While the dismissal of his punishment due to bias was ruled, I believe his severe measures were completely justified.

Microsoft is dangerous, dangerous as it wields enough power and influence to destroy the burgeoning innovators in the technology industries. As it expands its reach unrestricted, customers of American technology will suffer with fewer and fewer options.

The latest effort to "settle" by donating to education is the most self-serving action I have ever heard proposed. Do not cut the throat of one of only bastions against the Microsoft hegemony, by building the road right into the heart of the educational market. Apple Computer's tiny refuge would be bulldozed under.

Severe punishment and restrictions against Microsoft are the only justifiable actions in this case.

Charles Houghton
317 W 99th St #7d
New York, NY 10025
212.666.7586

MTC-00014290

From: Steve Overman
To: Microsoft ATR
Date: 1/21/02 2:40pm
Subject: Microsoft Settlement.

Dear Sir,

I support Microsoft 100%. It's time to end this competitors attack on Microsoft. The competitors are using the government as a tool to achieve their goals. This issue has hurt the U. S. economics and it's time to put it behind us.

Please leave Microsoft alone. They have given more to the consumer than any business in U. S. history.

Please stop being the puppets of lazy competitors.

Thank you,
Steve Overman

MTC-00014291

From: mbmesz
To: Microsoft ATR
Date: 1/21/02 2:43pm
Subject: Opinion

I would urge that the Courts rule in favor of Microsoft.

Margaret B. Mesz
(Microsoft product user and shareholder.
1/21/02

MTC-00014292

From: Norm Gilbert
To: Microsoft ATR
Date: 1/21/02 2:51pm
Subject: Microsoft Settlement

I fully supported Judge Jackson's decision to split up Microsoft into two companies. Unfortunately, while Judge Jackson's decision was correct based upon the evidence, he was not judicious when explaining his decision to the media, opening the door to Microsoft for an appeal.

I am convinced that, with the change of administrations, the government has decided to give Microsoft a free ride and has backed off in its enforcement of the anti-trust laws, to the detriment of consumers and to the benefit of the monopolist Bill Gates.

Allowing Gates to essentially buy his way out of an anti-trust judgement by donating equipment or software that only furthers his monopoly control is absurd in the extreme.

Thank goodness the states Attorneys General are not so easily corruptible as is President Bush, who has demonstrated that he's for sale to the highest bidder in donations and support (for proof, look at the Enron matter!) If Gates wants to give money to schools and libraries, give it with no strings attached and let it be spent on Apple Macintosh equipment or Sun SPARC servers and not on Windows based hardware and software. However, the best solution by far is to break the company into two parts, with one company owning the Windows Operating System franchise and the other having all the games, applications and Microsoft network.

Microsoft's conduct has been anti-competitive and unfair to its customers and competitors and they should not be rewarded for their illegal conduct. This proposed settlement is simply not good government and reeks of corruption, payoffs, and political favors. Microsoft broke the law; enforce the law and extract a real penalty that corrects the situation permanently and prevents Microsoft from continuing its anti-trust activities in the future.

CC:microsoftsettlement @alexbrubaker.com
@inetgw

MTC-00014293

From: Sheila Dale
To: Microsoft ATR
Date: 1/21/02 2:58pm
Subject: Microsoft Settlement
649 Cardinal Ridge Road
Burlleson, Texas 76028
January 21, 2002
Attorney General John Ashcroft

US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you today to express my strong opinion in regards to the settlement that was reached on November 6, 2001 between Microsoft and the government. I feel this settlement is fair and reasonable, and I am relieved this dispute is finally over. Microsoft has had an enormous positive impact on the technology industry. Microsoft has made it easier for the average consumer to take advantage of what technology has to offer, both at home and at work. I, personally would not have been able to take a good paying job after a tragic divorce after 30 years of marriage without the technology that Microsoft has developed. The technology of Microsoft allowed me to learn one program and then relate the same logic to other programs making it easier and faster for me to become proficient and take a responsible position very quickly.

I am a strong Microsoft supporter, and I believe that this settlement will serve in the best public interest. This agreement will allow Microsoft to focus on designing and marketing its innovative software, rather than wasting money on litigation.

Please bring an end to what seems to be endless and costly litigation. . . . costly not only for Microsoft. . . . but also the U.S. Tax Payer.

Thank you for settling with Microsoft.
Sincerely,
Sheila Dale

MTC-00014294

From: Wallingford, Ted
To: Microsoft ATR
Date: 1/21/02 2:46pm
Subject: Microsoft Settlement

Hello Justice Department, Attorney General, and Ms. Hesse:

Ideas for your proposal for settling the Microsoft case (or trial of Microsoft, if it happens) are included in this letter. Microsoft does in fact relish an unfair advantage over other manufacturers of operating system software. They control all aspects of software development for Intel-compatible PCs, and even flaunt control over distribution and manufacture of Intel-compatible PCs. PC makers, while sometimes ethically unsure of their software-bundling decisions, invariably end up choosing Microsoft's software to bundle with their machines, whether or not it is in fact better.

Better, more stable products do exist. This is not to say Microsoft's products are bad or good, as that type of judgment isn't what's being requested of the Federal Court. However, Red Hat, Apple, and Corel make operating systems and applications for their alternative operating systems which could raise the competitive ante for Microsoft if only the constraints placed by Microsoft on the PC makers could somehow be loosened. The quality of competitor's operating system products (Apple included) is often held up as superior to Microsoft's, and it has been this way for a long time. Yet, Microsoft's dominance of the market has persisted for well over a decade. This is unquestionable and strong evidence of an unfair monopoly.

The Microsoft-proposed antitrust settlement will NOT solve these problems, or the countless other problems incurred by the MS juggernaut, including anticompetitive stifling of Sun's Java application technology through deliberate introduction of incompatibilities, and subsequent elimination of software competitors by acquisition or other tactics, then subsequent aggressive inflation of software prices in the wake left by lack of competition. I am less concerned about the Netscape vs. Explorer issue, however I submit that Microsoft used (less severe) anticompetitive tactics (forcing Pc makers to bundle) that, when combined with business mistakes on Netscape's part, led to Netscape's irrelevance in the marketplace.

The only way to solve the problems outlined herein is to restructure Microsoft as three separate companies. One which manufactures and markets the operating system software, one which manufactures the application software and games, and one which manufactures the development tools. Only in this way can unfair leveraging the loss of compatibility with one type of software (an OS or a development tool) be reason for consumers not to choose a software product of another type from another vendor. You can't switch away from Windows because Microsoft makes 90% of the applications most commonly used on Windows. You can't switch away from Microsoft development tools because the secret methods in which the best applications are developed are only known to those developers who choose Microsoft development tools like Visual C++. Even then, the core "killer performance" APIs are known only to Microsoft, in order to give the applications they develop a built-in advantage over those of their competitors.

Is it possible to hold Microsoft in contempt because of their recent settlement proposal, which amounts to nothing but a grant of more unfairly-gained marketshare and loss of choice for poor schools? Poor schools may not have as much money as others, but to take away their choice is completely inconsiderate of the constitution, and damaging to the school programs themselves. Poor and often failing schools don't need computers, they need more involved parents, more professional teachers, and more importantly competition. Microsoft's proposed settlement would have done nothing to help the essential problem of poor American schools (which are wealthy by many global standards).

Whatever disciplinary action is taken against the monopolistic giant, please clearly design it to rectify the wrongs Microsoft has been convicted of. Rather than brushing aside the ruthless and morally bankrupt actions Microsoft has committed in exchange for a half-million dollars in marginal (tax-deductible) expenses from Microsoft to poor schools, please make the penalty severe enough to notice, compensatory to victimized corporate competitors and consumers, and relevant to the infractions committed! What do poor schools have to do with the Microsoft-incurred losses at Sun, Netscape, and Apple? Nothing!

Find a way to restore competition to this free market. Begin by allowing Windows

developers to be free enough to develop for other platforms. Then, allow Windows consumers to switch platforms if so desired.

Platform-switching means consumer-spending, and while it will ensure developers who develop for non-Windows platforms won't get burnt for doing so, consumers switching platforms means more competition, lower prices, high consumer spending in the technology sector, more willingness for long-term spending (upgrading software), and more tax revenue.

Finally, separate the Microsoft that makes Windows applications from the Microsoft that makes Windows itself, and force the former to develop applications for other platforms, because a heterogeneous marketplace keeps prices down and innovation up. Imagine if there was only one maker of automobiles! This is where the market it headed unless one of two things happens. 1. The DOJ submits a heavy-handed but fair counterproposal, or 2. Three quarters of Microsoft's competitors merge assets and go in to debt for thirty years in order to buy away a competitive percentage of their monopolized customer base (i.e. Impossible).

Thanks for inviting me to speak. As an American, it is my privilege and thrill to do so.

Sincerely,
Ted Wallingford
Information Technology Manager
Independence Excavating, Inc.

MTC-00014295

From: Tom Robinson
To: Microsoft ATR
Date: 1/21/02 2:55pm
Subject: Microsoft Settlement
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Being a supporter of Microsoft, I feel as though Microsoft was penalized for its greatness. Bill Gates is a brilliant man and thus, I am not surprised that he is the owner of a brilliant business as well. In this case, it seems as though he has endured this lengthy and needless litigation due to the fact that the competition could not keep up. Bill Gates is clearly at the top of his industry and he should not be punished for having the best product.

I am confident that this settlement was not easy on Microsoft. I am sure that you are aware of the restrictions and obligations that Microsoft has agreed to and I hope this is enough to end this case. I am certain that this settlement will serve not only the best interest of the software industry but also the consumers as well.

I appreciate your time in listening to the public opinion. Thank you very much.

Sincerely,
Thomas Robinson
8430 Maybelle Drive
Weeki Wachee, Florida 34613

MTC-00014296

From: TIM BARTLEMAN
To: Microsoft ATR
Date: 1/21/02 2:56pm

Subject: Microsoft anti-trust

CC:
tormist@ag.state.1a.us@inetgw
January 21, 2002
Hon. Colleen Kollar-Kotelly
U.S. District Court, District of Columbia c/o
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Dear Judge Kollar-Kotelly:

The proposed settlement between the Department of Justice and Microsoft in U.S.v. Microsoft falls far short of what is needed to put an end Microsoft's pattern of predatory practices. This deal does not adequately protect competition and innovation in this vital sector of our economy, does not go far enough to address consumer choice, and fails to meet the standards for a remedy set in the unanimous ruling against Microsoft by the Court of Appeals for the District of Columbia. Its enforcement provisions are vague and unenforceable. The five-year time frame of the proposed settlement is much too short to deal with the antitrust abuses of a company that has maintained and expanded its monopoly power through fear and intimidation.

Microsoft's liability under the antitrust laws is no longer open for debate. Microsoft has been found liable before the District Court, lost its appeal to the United States Court of Appeals for the District of Columbia in a 7-0 decision, saw its petition for reheating in the appellate court denied, and had its appeal to the Supreme Court turned down. The courts have decided that Microsoft possesses monopoly power and has used that power unlawfully to protect its monopoly. The next step is to find a remedy that meets the appellate court's standard to "terminate the monopoly, deny to Microsoft the fruits of its past statutory violations, and prevent any future anticompetitive activity." This proposed settlement fails to do so. The Deal Fails to Meet the Appellate Court's Remedy Standards

This proposed settlement clearly fails to meet the standards clearly laid out by the appellate court. In fact, the weak settlement between Microsoft and the Department of Justice ignores key aspects of the Court of Appeals ruling against Microsoft. Here are several examples of where this weak settlement falls short:

1) The settlement does not address key Microsoft practices found to be illegal by the appellate court, such as the finding that Microsoft's practice of bolting applications to Windows through the practice of "commingling code" was a violation of antitrust law. This was considered by many to be among the most significant violations of the law, but the settlement does not mention it.

2) The settlement abandons the principle that fueled consumer criticism and which gave rise to this antitrust case in 1998: Microsoft's decision to bind—or "bolt" Internet Explorer to the Windows operating system in order to crush its browser competitor Netscape. This settlement gives Microsoft "sole discretion" to unilaterally

determine that other products or services which don't have anything to do with operating a computer are nevertheless part of a "Windows Operating System product." This creates a new exemption from parts of antitrust law for Microsoft and would leave Microsoft free to bolt financial services, cable television, or the Internet itself into Windows.

3) The deal fails to terminate the Microsoft monopoly, and instead guarantees Microsoft's monopoly will survive and be allowed to expand into new markets.

4) The flawed settlement empowers Microsoft to retaliate against would-be competitors and to take the intellectual property of competitors doing business with Microsoft.

5) The proposed settlement permits Microsoft to define many key terms, which is unprecedented in any law enforcement proceeding.

Loopholes Undermine Strong-Sounding Provisions

The proposed settlement shows that it contains far too many strong-sounding provisions that are riddled with loopholes. Here are several examples:

The agreement requires Microsoft to share certain technical information with other companies in order for non-Microsoft software to work as intended. However, Microsoft is under no obligation to share information if that disclosure would harm the company's security or software licensing. Who gets to decide whether such harm might occur? Microsoft.

The settlement says that Microsoft "shall not enter into any agreement" to pay a software vendor not to develop or distribute software that would compete with Microsoft's products. However, another provision permits those payments and deals when they are "reasonably necessary." The ultimate arbiter of when these deals would be "reasonably necessary?" Microsoft.

The settlement does nothing to deal with the effects on consumers and businesses of technologies such as Microsoft's Passport. Passport has been the subject of numerous privacy and security complaints by national consumer organizations. However, corporations and governments that place a high value on system security will be unable to benefit from competitive security technologies, even if those technologies are superior to Microsoft's. Why? Microsoft controls their choices through its monopolies and dominant market share, and still is able to dictate what technologies it will include.

Enforcement

The weak enforcement provisions in this proposed deal leave Microsoft free to do practically whatever it wants.

A three-person technical committee will be appointed, which Microsoft appointing one member, the Department of Justice appointing another, and the two sides agreeing on the third. This means that Microsoft gets to appoint half of the members of, the group watching over its actions. The committee is supposed to identify violations of the agreement. But even if the committee finds violations, the work of that committee cannot be admitted into court in any enforcement proceeding. This is like

allowing a football referee to throw as many penalty flags as he likes for flagrant violations on the field, but prohibiting him from marching off any penalties. Finally, Microsoft must comply with the lenient restrictions in the agreement for only five years. This is not long enough for a company found guilty of violating antitrust law.

The Proposed Settlement fails to Adequately Address Consumer Needs

The settlement does not go far enough to provide greater consumer choice, and leaves Microsoft in a position that it can continue to charge whatever it wants for its products. As a recent Chicago Tribune story said: "If you believe that what's good for Microsoft Corp. is good for consumers, the proposed settlement of the software giant's three-year federal antitrust baffle is cause for celebration. If you believe that consumers would benefit more if Microsoft could no longer use its Windows monopoly as a springboard into new markets, you stand to be sorely disappointed."

In addition, consumer groups have opposed the settlement. Mark Cooper, director of research for the Consumer Federation of America, said: "Wall Street's view is that Microsoft's business model doesn't change. If that's the case, we will continue to be afflicted with the same anti-competitive behavior."

Analysts Conclude that Deal Will Not Affect Microsoft's Practices

Sadly, the proposed final judgment by Microsoft and the Department of Justice has the potential make the competitive landscape of the software industry worse, contains so many ambiguities and loopholes that it may be unenforceable, and is likely to lead to years of additional litigation. Analysts of all kinds have indicated that the weak settlement will not impact Microsoft or its illegal practices. Following are a variety of examples:

"As we have stated before, we believe a settlement is a best case scenario for Microsoft. And, this settlement in particular seems like a win for Microsoft being that it would preserve Microsoft's ability to bundle its Internet assets with Windows XP and future operating systems—a plus for the company. In fact, it appears that Internet assets such as Passport are untouched.

Also, as is typical with legal judgments, this settlement is backward looking, not forward looking. In other words, it looks at processes in the past, but not potential development of the future."

Morgan Stanley, 11/02/01

"The deal . . . appears to be "more, better, and faster" than we expected in a settlement deal between Microsoft and DoJ. The deal will apparently require few if any changes in Windows XP and leave important aspects of Microsoft's market power intact."

Prudential Financial, 11/01/01

"With a dramatic win last week, Microsoft appears to be on its way to putting the U.S. antitrust case behind it. The PFJ between the Department of Justice and Microsoft gives little for Microsoft's competitors to cheer about . . . There is very little chance that competitors could prove or win effective relief from violation of this agreement, in our view."

Schwab Capital Markets, 11/6/01

"This is a spectacular victory for Microsoft."

—David Yoffie, professor, Harvard Business School, New York Times 11/02/01

"This deal appears to fall far short of what could have been obtained in court, and what's necessary to protect the public."

—Andrew Schwartzman, public interest firm lawyer, Media Access Project, Wall Street Journal 11/02/01

"[The settlement] fails to protect competition in the software industry and does not come close to dealing with the problems that were found to exist by the District Court and the Court of Appeals."

—Albert A. Foer, president, American Antitrust Institute, Washington Post 11/05/01

"This is a reward, not a remedy."

—Kelly Jo MacArthur, general counsel, ReaiNetworks, Inc., Globe and Mail 11/08/01

"It looks like the government is giving them a slap on the wrist. I find that sad. It won't achieve any of the goals of the proceeding."

—Robert Lande, law professor and antitrust expert, University of Baltimore, ZDWire 11107101

The strength of any remedy is particularly important given Microsoft's growing dominance in the software markets. Since the end of the trial in the District Court, Microsoft's monopolies are stronger in each of its core markets with both the Windows operating system and the Office suite now higher than 92 percent and 95 percent, respectively. In addition, Microsoft has achieved a monopoly in web browsers, and has seen competitors such as the Linux operating system fade.

The Microsoft Monopoly Should not be Exempt from Antitrust Laws

Enforcing federal antitrust laws against monopolies is not new or novel. Antitrust law has protected free markets and enhanced consumer welfare in this country for more than a century. The Microsoft case does not represent a novel application of the law, but is the kind of standard antitrust enforcement action necessary to insure vigorous competition in all sectors of today's economy.

These same standards have been applied to monopolies in the past. We do not have one oil company determining how much we pay for gasoline, but instead we have suppliers such as Exxon, Mobil, Amoco and Chevron competing with each other. These companies were all part of the Standard Oil monopoly, which was dissolved because Standard Oil was found to have violated the antitrust laws.

Less than 20 years ago, the nation essentially had one telephone company—AT&T. After the government sued AT&T for violating the antitrust laws, the company was broken up, and competition was introduced in the long distance business. Since competition was introduced into that market, real prices have declined more than 70 percent, and there has been more innovation in the past two decades than in most of the preceding century.

Settlement is Based on Flawed Economic Assumption, and Sets a Bad Precedent

Some defenders of the proposed settlement between Microsoft and the DOJ have adopted the view that settling this case could somehow revive the slowing U.S. economy. Their motives are good, but their reasoning is flawed. What economic theory holds that protecting monopolies is better for stimulating the economy than promoting competition?

In addition, this case will set an important precedent. Former Judge Robert H. Bork has noted that:

"In settling the most important antitrust case in decades through a remedy that will have no impact on the current or future competitive landscape, and absolutely no deterrent effect on the defendant, the Department of Justice has effectively repealed a major segment of the nation's antitrust laws. Moreover, any potential witness with knowledge of anticompetitive conduct in a monopolized market has to weigh the potential benefit of his or her testimony against the likely response of the defendant monopolist. The DOJ's proposed meaningless remedy would insure that no witness would ever testify against Microsoft in any future enforcement action."

Conclusion

The end result is that this proposed settlement allows Microsoft to preserve and reinforce its monopoly, while also freeing Microsoft to use anticompetitive tactics to spread its dominance into other markets.

After more than 11 years of litigation and investigation against Microsoft, surely we can and we must—do much better than this flawed proposed settlement between the company and the Department of Justice.

Thank you for your time.

Regards,
Tim Bartleman

MTC-00014297

From: Brian Heinis
To: Microsoft ATR
Date: 1/21/02 2:59pm
Subject: Microsoft Settlement

To Whom it May Concern;

In regards to the so-called Microsoft Settlement. What a sell out. We take a company that has been found guilty of abusing a monopoly to the detriment of competitors and customers alike and you want to let them off. What a joke! It makes me wonder how much Microsoft stock is owned by the DOJ lawyers in this case.

The hard work of the case is finished. Microsoft has been found guilty of abusing monopoly power. Now the DOJ wants to turn victory into defeat by proposing a meaningless remedy. Why do you think half the state Attorney Generals have refused to stick with the DOJ plan?

The best thing to do would be to split Microsoft into two companies. One would control and develop operating systems and the other would develop applications. That way the Application Programming Interfaces that are required to write quality software would all be public. All application programmers would have access to the APIs equally and Microsoft would not be able to disable competitor's programs so their inferior software appears to operate more reliably.

The settlement that Microsoft proposes and the DOJ has rubber stamped does nothing to stop the abuses. Microsoft has thumbed it nose at the laws of the United States and the court system in the past and they will do it again if they are not punished. Just the indication that Microsoft believes that this plan is fair should be a warning that it will not really impact them.

If I break the law I most certainly will be punished by jail time or a fine. It seems that if Microsoft breaks the law they are told not to do it again or else they will need to come up with a remedy. In the past they have simply kept on with business as usual.

After all the hard work of proving abuse of monopoly power the proposed settlement makes the Justice Department look like a joke. What a sell out. Please throw out this flawed settlement and work on creating a meaningful punishment that will once again level the playing field for software developers.

Brian Heinis

MTC-00014298

From: A1 Hillman
To: Microsoft ATR
Date: 1/21/02 3:05pm
Subject: Microsoft Settlement

Dear Sirs:

Please read the attached letter on the subject. As a retired person I am not happy what all this has done to the tech stocks and my portfolio.

Thank you,
Albert J. Hillman

2410 Pointe Road Schofield, WI 54476

January 17, 2002

Attorney General Ashcroft
Dept. of Justice, 950 Pennsylvania Avenue
Washington, DC 20530-0001

Dear Mr. Ashcroft,

As a Microsoft supporter, I would like to state my opinions regarding the Department of Justice settlement and have them recorded in the **Federal Register**, pursuant to the Tunney Act. I feel that the agreement was fair and reasonable, and was obviously extensive enough for nine of the states, including Wisconsin, to approve. I do not see what more can be gained by further action, and would like to see this case put behind us. The issues that brought about the case in the first place have been addressed, and provisions have been put in place to handle possible future problems.

Under the terms, Microsoft agreed to grant computer manufacturers restructure Windows licensing so as to allow non-Microsoft programs to be distributed with Windows. This means that Microsoft will allow the competition to use Windows to launch products that will seek to undo the popularity of Microsoft products. Most Microsoft opposition agrees that Microsoft's current concessions are acceptable, but they argue that provisions are not sufficient to deter future litigation. I would like to point out that a technical oversight committee has been put in place to check Microsoft's codes and books, and that the competition will be allowed to sue Microsoft directly in the event that it fails to comply with the terms of the settlement.

In short, the current and possible future problems have been accounted for, and I

would like to see this case put behind us. The settlement should be granted a chance to prove itself before it is written off as a failure. It has been three years in the making, and deserves at least that. Thank you.

Sincerely,

Albert J. Hillman

MTC-00014299

From: b.duncan
To: Microsoft ATR
Date: 1/21/02 3:01pm
Subject: microsoft settlement
6405 West 245 Avenue Lowell, IN 46356-9719

January 11, 2002

Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW Washington, DC 20530-0001

Dear Mr. Ashcroft:

I am writing to say out loud that this settlement should have occurred long ago and is in the best interests of the American public. Though, I do think many of the concessions Microsoft will be making are unfair to Microsoft and are not in the best interests of free market economy.

For one, forcing Microsoft to increase it relations with computer makers and software developers goes against the basic principles of a capitalist society in which we have the right to choose what we buy, what we do, what we produce, and who we team up with. The second thing is that to force Microsoft to disclose its interface technology to competitors is a violation of intellectual property rights. Microsoft worked long and hard to develop its products and services and it should not have to disclose its secrets to competitors that will then be able to hurt Microsoft.

Right now with an ongoing war on terrorism and many other issues that the government should be focused on, the last thing they should meddle with is free enterprise. I believe the nine states holding out grandstanding for their own political interests and should be punished themselves for their actions.

Sincerely,

Barbara Duncan

MTC-00014300

From: Patnraykirby@aol.com@inetgw
To: Microsoft ATR
Date: 1/21/02 3:04pm
Subject: (no subject)

January 8, 2002

Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

This letter is intended to express my concern regarding the continued delay in the settlement of the Microsoft case. This matter has been the object of years of litigation, constant controversy and continuous delay. All the while, one of the nation's most dynamic corporations has been hamstrung in a manner detrimental to the whole IT industry and our national economy. It's time to end this controversy and get Microsoft back to work.

The proposed settlement will satisfy the concerns of the government and remedy the

grievances of Microsoft's competitors. The company will be constrained to open up its Windows systems to non-Microsoft software and computer manufacturers. There will be a Washington appointed oversight committee to monitor the company's compliance. In short the fears of Microsoft's competitors are no longer justified.

This case is now no more than a political football, and treating it as such is detrimental to this country and our economy. Please finalize this settlement.

Sincerely,
Raymond C. Kirby
9411 Brookview Drive
Brentwood, TN 37027

MTC-00014301

From: chris march
To: Microsoft ATR
Date: 1/21/02 3:04pm
Subject: Microsoft Settlement
hello and good day;

i would like to say that i believe ANY settlement with those PROVEN in COURT, to have lied, cheated, stolen, faked evidence AND abused monopoly power is too generous. anything less than a breakup will not prevent them from holding the future of computing (and indeed those who rely on the computers- ahem, government?) hostage.

below (end of message) are several quotes from the ceo of palm, inc. in a recent (jan.21,02) interview with yahoo news. notice how he mentions that; a.) they will leverage the desktop monopoly as much as possible. b.) they are content to lose money for long periods of time (and drive palm out of the market) by being funded by the os/office products revenues. Does this remind anyone of netscape? Barely has the threat of break-up been taken off the table, and they are still/already up to their old tricks.

if the outcome of this trial is the same as that of 1994-5, then you have merely wasted the taxpayers money, and have nothing to show for it. you MUST make these people understand that abuse of the american people will not go unpunished, and that there are still branches of government more concerned with the people they serve and protect than with large corporations who BREAK the LAW.

thank you for reading my message,
chris march
network administrator
prep incorporated
420 lawrence bell dr.
buffalo, new york 14221
716-633-3960 (9-5)
home address available if needed.

Monday January 21 11:14 AM ET
Palm Software CEO Talks Tough on
Microsoft Rivalry

By Franklin Paul excerpted. . .

So far, Microsoft, which holds about 20 percent of the market to Palm's more than 50 percent, has been patient. Experts say the company has steadily grown its share in the PDA market, and can continue to do so slowly leveraging its relationships with corporations who already depend on Windows in the workplace.

Moreover, unlike Microsoft, Palm does not have a multibillion-dollar product like Windows to fall back on.

"Overall, we believe Palm's strategy is now well articulated and the company is executing much better under improved leadership," J.P. Morgan analyst Paul Coster said in a recent note to clients. "However, we believe the competitive threat is also mounting."

Nagel acknowledged Microsoft's dominance in desktop market, and its ability to barge into new arenas. Still he hopes to convince users that a Palm-driven device is an essential tool alongside their desktop PC. "We are not going to displace Microsoft," he said. "Microsoft has a complete monopoly on the desktop. But we want to be the best companion to the PC." end excerpt. . .

MTC-00014302

From: bill hall
To: Microsoft ATR
Date: 1/21/02 3:27pm
Subject: Microsoft Settlement

We need to settle the Microsoft Case at once, for the following reasons:

(1) The Settlement proposed and agreed to by majority of States and Government seems to be a reasonably fair one.

(2) The nine States objecting seem to be greedy and I believe, in the long run, would mostly benefit the Lawyers.

(3) I believe the Stock Market would be helped if we could get the case settled right away.

(4) If we continue the Lawsuit and weaken this fine Company, we will perhaps make it possible for competitors in some Foreign Country to take the lead.

Bill D Hall
23694 County Road
23 Glenwood, Mn 56334

MTC-00014303

From: Tony Fakonas
To: Microsoft ATR
Date: 1/21/02 3:34pm
Subject: Microsoft Settlement
A.D. Fakonas
56 Via Floreado
Orinda, CA 94563
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I urge you to settle the antitrust case against Microsoft. The issue has been dragged out far too long, to the detriment of the US economy and consumers. In fact, it often felt like the main reason this case was ever brought up was because its competitors were better at navigating the political world.

Although Microsoft's business dealings may have been heavy-handed in the past, they were not detrimental to the consumer marketplace. I, like most (even marginal) computer users, have always had the option to use products from any software vendor. I personally have used both Internet Explorer and Netscape Navigator, and I still use both Microsoft Media Player and Real Networks RealPlayer. I have both on my computer simultaneously, and both work fine.

The fact is that Microsoft has become a dominant force because it has provided

superior products at good value. The settlement negotiated in November eliminates Microsoft's ability to force programs and products on consumers and manufacturers by requiring Microsoft to allow competitors to place their own programs on Windows. The result is a playing field as level as the competition will ever get.

Please drop the case and settle without further litigation. Everyone has dwelled on the matter long enough.

Sincerely,
A. D. Fakonas
(925) 253-7936

MTC-00014304

From: Eugene
To: Microsoft ATR
Date: 1/21/02 3:38pm
Subject: settlement

I do believe that in order to properly enforce Microsoft from being able to leverage the different parts of their company to manipulate and coerce other companies to it's wishes, I think that Microsoft should be broken up into three divisions. The internet division, Applications division, and the OS division.

MTC-00014305

From: Brad Redfearn
To: Microsoft ATR
Date: 1/21/02 3:45pm
Subject: Comments on Microsoft settlement

14 days is too short a time to allow Microsoft (via Windows) to automatically prompt a user to use or switch to a Microsoft product. For many people, this amount of time is not sufficient to have become familiar with the operation of the computer and to have had a chance to explore third-party options for all software/services.

In my opinion, Microsoft should not be able to use Windows in that way at all. If, for example, an OEM wanted to bundle AOL Instant Messenger (or ICQ, or IRC Chat, etc.) instead of MSN messenger, they should be able to do that without Microsoft popping up and asking them to switch without the user initiating it.

It seems to me a likely scenario that a user buys a new computer, learns the interface, gets online, learns to use email, begins to explore the web. . . And BAM! Two weeks have gone by and they still have no idea what instant messaging is. Before they have had a chance to explore the OEM bundled software, Microsoft steps in a pushes MSN (or whatever) on them. This is not much better than allowing Microsoft to force OEMs to bundle their "middleware" in the first place. Microsoft should have to compete with other software vendors on even terms—not tie its software products into Windows. In my opinion this means Microsoft should have to offer OEMs a version of Windows stripped of all other Microsoft middleware and online services let the OEMs choose whether to add in Microsoft's offerings or a competitor's (or both). Then Microsoft would have to just compete for OEMs business just like everyone else. They would not have the unfair advantage of automatically being on every system.

I would also like to make the point that many people who are automatically

prompted to use a Microsoft product don't realize they are being advertised to.

My two cents.
Brad Redfearn
CEO @ Evolution Multimedia
brad@evolutionmc.com

MTC-00014306

From: Tom Rial
To: Microsoft ATR
Date: 1/21/02 3:48pm
Subject: Microsoft Settlement
January 15, 2002
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street, NW
Suite 1200
Washington, DC 20530-0001

To Whom It May Concern:

I hope that you will reconsider the decision to settle the United States Department of Justice antitrust lawsuit against Microsoft Corporation. American consumers may have been overcharged \$20 billion by the Microsoft monopoly. Your agreement with Bill Gates' company does nothing to rectify past sins by this company or protect against future gauging.

As you know, at least ten consumer groups disagree with your agreement to settle. Microsoft has little incentive to change any of its practices. Their concessions of handing over some operating systems code and offering manufacturers some sovereignty over Media Player amounts to little more than a light slap on the wrists for a multi-billion dollar company.

I am proud that my state's Attorney General, Tom Miller, rejected this Microsoft agreement. I believe that Mr. Miller and the other eight state attorneys general see the many loopholes and problems with enforcement that does little to affect change in the computer software industry. Splitting Microsoft into two or three companies may not be the proper response, but neither is this.

Your decision to prematurely end litigation against Microsoft is a mistake. The agreement offers no real incentive to stop monopolistic, anti-trust efforts. It won't help much smaller companies compete and it doesn't serve the American consumer. Please continue to go after Microsoft. It is a duty of the Justice Department to protect the average citizen from companies that have grown too large and too powerful by questionable business practices.

Sincerely,
Thomas Rial
111 51st Street
Des Moines, IA 50312
CC: Iowa Attorney General
CC:tormist@ag.state.ia.us@inetgw

MTC-00014307

From: Judy (038) Ron Tom
To: Microsoft ATR
Date: 1/21/02 3:53pm

Dear Mr. Ashcroft, would you please put a stop to law suits against Microsoft. It is a put down to capitalism and for anyone to be inventive and hard work. The government shouldn't go around suing anyone. That's not the purpose of government. This country has

become nothing but one big law suit. I do not pay taxes to the federal government or state government to use my money to sue people.

Crack down harder on illegal immigrants. Deport them and get them out of here. How about a 2 yrs. moratorium on foreign visitors and students. This country will do well without them.

Thank you.
Judith Tom

MTC-00014308

From: Dolores Johnson
To: Microsoft ATR
Date: 1/21/02 4:09pm
Subject: USAGJohnson—Dolores—1061—0117

W4074 South Shore Drive
Lake Geneva, Wisconsin 53147
January 19, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I appreciate your stand for justice in the settlement of the case against the great American software company, Microsoft. I feel that the nine that want to continue the case are guilty themselves of self-serving government harassment. Bill Gates has helped his country get to work, with efficiency, and helped get the economy rolling. I won't say that the suit was the sole cause of the economy's struggles, but it certainly has contributed.

Microsoft has agreed to the settlement to get this case behind it and get on with its business of innovating to maintain its leading position in the worldwide technology, if it can. The settlement will open up Microsoft's brainpower secrets, including much of the internal code of Windows. Microsoft agreed to submit to five years of oversight from a government committee which will ensure compliance and resolve complaints, including complaints from competitors. In my opinion, Microsoft has agreed to very generous terms.

Thank you for the continued support of the settlement. Let's pray that the judge accepts it, and America technology continues to lead the world. Thank you.

Sincerely,
Dolores Johnson

MTC-00014309

From: Ralph Bossert
To: Microsoft ATR
Date: 1/21/02 4:21pm
Subject: Attorney General Letter.pdf
17 Queens Guard Walk
Tonawanda, NY 14150-6811
January 15, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Ashcroft:

In a PERFECT world we would be setting at your desk telling you exactly how we feel, BUT— We are writing you today to express our opinion in regards to the Microsoft settlement issue. We feel that this debate has gone on long enough and that punishing Microsoft for being successful is a horrible crime.

This litigation is just a play to get money out of Microsoft. Rather than working hard for it themselves, competing companies are using this litigation for their own personal self-gain. We hate leeches. We are anxious to see Microsoft allowed to move forward and move on from this costly litigation. The settlement that was reached in November is complete and thorough and will accomplish a closure to this debate. Microsoft has agreed to carry out all provisions included in this agreement, such as: disclosing more information about certain internal interfaces in Windows and being monitored by a technical oversight committee created by the government for compliance.

This settlement and subsequently ending this litigation will serve in the best public interest and will benefit all of us. We urge you to support this settlement. Thank you for your time.

Sincerely,
Ralph Bossert and Helen A. Pasztor

MTC-00014310

From: ra5thrt@aol.com@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

FOR GODS SAKE STOP ALREADY. HERE WE HAVE A WORLD CLASS COMPANY .IN THE FAR EAST THEY LAUGH THAT WE ARE PENALIZING THEM. WAKE UP.

MTC-00014311

From: Bill.Savage@prodigy.net@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

While I have no doubt that Microsoft has acted illegally and unethically in using its monopoly position to dominate and control the PC software market I also question the motivation of the Clinton Justice Department in pursuing the case as it did and probably disrupting and endangering the economy as a result. The proffered settlement by Microsoft is just silly, ridiculous, and probably will enhance their market position further.

MTC-00014312

From: greg.plover@tastykake.com@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

I don't see how a company can be fined for persuing a monopoly in a particular market. This is what the American dream is all about. Meanwhile the companies who first brought this lawsuit in have been raking in billions because of their own Mega-Media monopoly (AOL/Time Warner). It just doesn't make sense to me.

MTC-00014313

From: jalsardl@ix.netcom.com@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

Addendum to previous comments: Optimisim for rational behavior on the part of ambitious State AGs must necessarily fade as California continues its anit-business crusade by further enhancing its medieval postion re Microsoft settlement via the PG&E lawsuit filed this week. The agenda emerging

seems to follow a model set some years back in Massachusetts with only the targets differing. It is hoped that Judge Kollar-Kotelly will end the opportunities for continued adventurism through swift and decisive action even in the face of a flawed result.

MTC-00014314

From: dcidave@powerweb.net@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

It is my opinion that the settlement should be approved at this time. It has been and continues to be, my opinion that MSFT has been unjustly done to in this entire matter. If the court wants the public interest ensured in this matter, it should not penalize MSFT any further. I say that as I believe that the states which don't want to settle are costing us the taxpayers, much money in their attempt to further their cause which is, quite frankly, a joke. As a Wisconsin State employee before I retired, I used a computer all day in my work. Naturally Windows was the platform used in ALL OF THE STATE OF WISCONSIN COMPUTERS. It was and still is simply the best software one can install in the computer. The state chose to use that platform, they weren't forced to use it. Because of that fact, I question as to why in the world would the state attorney general file suit in this matter? If I were Mr. Gates, I would refuse to continually update Windows for those states involved. LET THEM SIT WITH WHAT THEY HAVE. It seems that the states are biting the hand that feeds them. This whole case was, in my opinion, about the greed and envy of certain other companies who obviously couldn't compete on the same level as MSFT. I can't believe that anyone should be forced to divulge any of their technical information so others can benefit. In conclusion I certainly believe that the settlement is clearly in the public's interest even though it is not in MSFT's best interest.

MTC-00014316

From: rdill@neo.lrun.com@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

Thank God for reasonable people! It would be a sad day that we discourage innovators by preventing them from harvesting the fruits of their creativity.

MTC-00014318

From: edmjrm@fyi.net@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

This scurrilous attack on product leadership and the resulting drag on the economy and technological development in general have gone on far too long. Let's end it NOW.

MTC-00014319

From: richandvi2000@aol.com@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

This is a good settlement. We must keep free enterprise alive and available to

everyone. Sometimes talent and American knowhow looks like monopoly. We must be able to discern the difference.

MTC-00014320

From: ecd—asso@traverse.com@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

Although it may be true that Microsoft has become the technology leader with regard to operating systems and suite software, they are not the only game in town. Linux, BE software, MAC O/S and other up-start operating systems are available to the consumer. They may not be as popular, but Microsoft has just built a better mousetrap to attract users. Why do the liberal socialist zelots have to strike down every blue blooded american following the American Dream to aquire wealth and fame just because they have succeded. LEAVE MICROSOFT ALONE!!!!!! The open marketplace will eventually solve all problems. Government has no place in commerce and should keep thier hands out of the Darwinian capitalist system.

MTC-00014321

From: Larry.Kavounas@RxContracts.com@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

From a legal point this settlement is great. From a technological standpoint, it preserves the buying choices. Please move along with it. We are on hold while you are mulling over it.

thanks,
Larry Kavounas
CEO RxContracts Inc.

MTC-00014322

From: pasilst@aol.com@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

The assault on Microsoft was and continues to be a political move designed to further federal control of American industry. These are shameful days in American History.

MTC-00014323

From: LamModlin@netscape.net@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

This is a fair settlement. We ask for closure.

MTC-00014324

From: bwhellok@adelphiabusiness.net@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

You should leave Bill Gates the HELL alone! This attack on Microsoft is insidious.

MTC-00014325

From: RRake91351@aol.com@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

I think you should stay with the November 3rd settlement. You will never get everyone

to agree. The success of Microsoft is great for this country. Technology is constantly changing. We should not discourage innovation and progress.

MTC-00014326

From: sjsgrs@iowatelecom.net@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

this suit which should have been settled long ago has wasted enough of the taxpayers' money to prove nothing. the attorneys general who continue to pursue this are trying to make a name for them- selves to further their carrer in their state. Please stop the waste of the court time and settle this now.

MTC-00014327

From: cjchris@home.msen.com@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

I support the settlement. The judge is wrong to change it. I urge to leave the settlement stand as agreed upon. Additional litigation is not in the best interest of the consumer, who ultimately will have to pay the bill.

MTC-00014328

From: bigred743@starbnd.net@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

The corrupt Clinton administration is gone; why don't the government leave private industry alone. If Microsoft is such a bad company we will stop buying their products. Unlike the government we know there is someone else to do business with if we feel Microsoft isn't doing the job. oducts that have been reported to be superior. It's time for the Justice Department, courts and other legal entities to stop wasting so much effort and resources on Microsoft and other legal businesses such as big tobacco, especially in light of their failure to go after illegal activities such as a political party and administration that accepted campaign funds from foreign entities, then gave them nuclear secrets in return. It's time to call the whole Microsoft thing off and get on with issues that are really threatening the people of this country. Microsoft made computer ownership and use affordable for all of us. Punish them? Why?ney and proceed with the settlement as quickly as possible. This case should never even have been brought—it was merely at the behest of a few whining competitors who don't understand how free markets are supposed to work as well as the ever-hungry trial /tort lawyers and a biased political administration. I should mention that I am an IT professional with no connection to any of the parties involved except for being a (usually) satisfied customer of Microsoft. This is a rapidly changing field and anyone who gives the customer more product for less inflation-adjusted cost over a period of years as Microsoft has constantly done has my vote. In addition Judge Penfield clearly was such a biased judge that the entire original trial was a travesty!

Very truly yours

David M. Watersitter competitors.

MTC-00014339

From: danhaynes42@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/21/02 3:55pm
Subject: Microsoft Settlement

Go with the November settlement and get the government and courts off of Microsoft's back. This is in the best interests of technology and the economy.

MTC-00014340

From: rflynn-74@email.msn.com@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

It is long overdue that a settlement in this case be finalized. It will be to the overall benefit to our economy and competition.

MTC-00014341

From: delilah7777@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement
Renata Hesse
Trial Attorney Anti trust Devision:
Renata

Never in history before has it been so important to embrace the future of technology. Microsoft is a major contributor to the future and the Technology Industry. We have reached a point in the U.S. where we can no longer afford to attack the ones that are doing good for America. People need to open their eyes and look upon the real threats of this nation. America should get this settlement behind us and move on with the future. Because the key to it all is everyone working together!

Sincerely
Delilah Weeks
Minolta Business Solutions

MTC-00014342

From: patriciatorngren@yahoo.com@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

I really feel this case has gone on long enough. Technology moves so fast and the issues in this case move on to other companies just as fast. Seems that government just has to go after the smart and inventive that are leaders in creativity. The only thing I care about is that my computer works and the software does all that it is supposed to do. I am not a techie but I am learning more all the time and I like most of my friends am just a home user who has used a computer for our business and now use it for a varied choice of projects. The only other comment I have is a wish for the software to be less expensive for we who are on a more limited income.

Thank You
Patricia Tornngren

MTC-00014343

From: Allan2233@aol.com@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

Probably fair but kinda shame to pick on Gates when he had the smarts and get-up-and-go to make MS what it is today.

MTC-00014344

From: lsharri@attglobal.net@inetgw
To: Microsoft ATR
Date: 1/21/02 3:54pm
Subject: Microsoft Settlement

Those of us who HAVE to work with Microsoft Windows every day consider the settlement a joke. Not only is it a poor OS but it's built-in control characteristics make it very difficult to use software like Netscape ie: Compare the connection times to the Internet using IE 5 vs. Netscape 4.7. There are MANY more examples. We can't wait for Redhat! Bill Gates has really let us down while he pursues his dream the GUI and other cumbersome and difficult applications.

MTC-00014345

From: Mitchell Smith
To: Microsoft ATR
Date: 1/21/02 4:08pm
Subject: Microsoft Settlement

Dear Sirs:

You ought to be ashamed of yourselves! Millions of taxpayer-dollars wasted, and this toothless piece of garbage is the best that you can come up with? You might as well have given all that money to Microsoft. It certainly would have had the same lack of effect as your settlement.

The objecting states, including California, want to see Microsoft receive SOME punishment. The DOJ seems to want the case to just go away, so they've come up with this impotent compact. Listen to the objecting states, because unlike Bush and Ashcroft, the American people want something for our money, and we want an end to the abuse of monopoly power by Microsoft.

Hell, if you'd like to follow Judge Jackson's original order and break "em up, I'm all for it! Or better yet (and certainly more just), what about this:

1. Microsoft deliberately cheated capitalism, the economic foundation of our nation, by engaging in anti-competitive abuses of its monopoly power, and

2. The resulting damage to technological innovation (to competing companies who could broaden consumer choice, as well as exponentially advance the usability of the personal computer to said consumers) can never be fully appreciated, measured, or overcome, and

3. Those who would sabotage this country, effectively aiding foreign industries in coming closer to our abilities, are guilty of treason, and

4. Treason can be punished by death, hence

5. Microsoft must be killed. The stock price is immediately frozen, and the company dissolved over the course of the next five years, with all its units and patents on the auction block to the highest bidder to satisfy the corporation's debts and to the extent possible, shareholder equity. Of course, MS officers would not be allowed to sell or retain their stock as it was obtained through illegal acts, and it won't do them any good anyway because they'll be jailed for life for defrauding stockholders by engaging in illegal activity for the past ten years without disclosure.

Now THAT is just punishment. In capitalism, there can be no greater crime than

anti-competitive behavior. The corporations, directors, and officers of this country need to know that if they engage in unfair, unlawful, and/or anticompetitive behavior that they will face the most dire consequences: corporate death, and yes, even death to the officers and directors responsible. The death of a few dozen men will once again allow our nation, even our world, to flourish technologically. You could even televise Bill and Steve's executions to give the public some sense of closure, that the DOJ did its job.

If you were truly a government beholden to the citizens who pay you, and not to the special interests (businesses), THIS is what you would do.

How disappointing and embarrassing you are to our nation.

Mitchell Smith
Irvine, CA

MTC-00014346

From: Dana Thomson
To: Microsoft ATR
Date: 1/21/02 4:11pm
Subject: Microsoft Settlement
January 18, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Ashcroft:

I would like to express my support for the proposed settlement plan in the Microsoft anti-trust case and accordingly urge you and the administration to work for its adoption. The plan allows Microsoft to continue to exist as one integrated entity, which I feel maintains the competitive environment that is necessary for all companies to operate. I feel this is vitally important to the American IT industry and to reenergizing our whole economy. The plan is fair, as Microsoft must now concede to the rest of the IT industry certain rights of access to Windows systems and other company technology. Product licensing by Microsoft will now be at essentially uniform terms for the major consumer manufacturers. Microsoft will be forbidden to take any retaliatory market actions against the complainant competitors and it must cease any future anti-competitive practices. These terms and others should surely satisfy Microsoft's more honest competitors and should suffice to warrant your support of the settlement.

Would you please see your way toward helping to end this controversy at the federal level, for everyone's sake?

Sincerely,
Dana Thomson
2810 Cobblestone Court
Schnecksville, PA 18078 USA
cc: Senator Rick Santorum

MTC-00014347

From: Rob Steinbach
To: Microsoft ATR
Date: 1/21/02 4:19pm
Subject: Microsoft Settlement.

Dear Sirs:

I believe, in particular, the current proposed DOJ final judgement: Fails to reduce the application barrier to entry that Microsoft was found to have illegal protected.

Fails to remedy the illegal injury that Microsoft was found to have done to Netscape Navigator(TM) and the browser market.

Fails to curtail Microsoft's illegal bundling of middleware programs including browsers, media players, instant messaging software, and, in the future, possibly firewalls and anti-virus software into the monopoly Microsoft Windows(TM) operating system.

Is exceedingly ambiguous and easily subject to manipulation by Microsoft because the judgement lacks an effective enforcement mechanism.

Personally, I would have welcomed a settlement that addressed the numerous Sherman Act violations that were found by the District Court and upheld unanimously by the DC Circuit Court, but I feel this settlement is grossly insufficient to meet this goal.

In summary, I feel that the current proposed DOJ settlement falls far short of the goal set by the District Court ruling.

Sincerely,
Rob Steinbach
Programmer/Analyst
Ideal Chemical and Supply, Co.
4025 Air Park Street
Memphis, TN 38118

MTC-00014348

From: Rob2025@aol.com@inetgw
To: Microsoft ATR
Date: 1/21/02 4:16pm
Subject: Microsoft Settlement

I have not followed the settlement in detail, but feel the Government is stepping out of bounds to drag this out this long. It is my understanding they have spent more money so far than the first year of the Bush taxcut. I resent the collective federal and State governments to get this involved in trying to suppress what has been free enterprise and the efforts of a brilliant individual. I cannot recognize Bill Gates had any intention of harming any one's efforts, and his genius enhanced many marginal persons production. In my lifetime the Government broke up the AT&T telephone system and ruined it for the world. Stop the litigation now, and get on with the agreement reached by the Government and nine states. We need positive efforts in our economy, and the world-wide association of the public and Microsoft could only be positive.

R. E. Stong

MTC-00014349

From: Diane Mannix
To: Microsoft Settlement
Date: 1/21/02 12:20pm
Subject: Microsoft Settlement
Diane Mannix
PO Box 363
Avon, MT 59713
January 21, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the

wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Diane Mannix

MTC-00014350

From: Ralph Mannix
To: Microsoft Settlement
Date: 1/21/02 12:19pm
Subject: Microsoft Settlement
Ralph Mannix
PO Box 363
Avon, MT 59713
January 21, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

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Thank you for this opportunity to share my views.

Sincerely,
Ralph Mannix

MTC-00014351

From: Mark D Liggert

To: Microsoft ATR
Date: 1/21/02 4:16pm
Subject: Microsoft Settlement

I support the settlement between Microsoft and the Department of Justice. It is fair and removes uncertainty in our economy. It should go into effect. The current recession began with the original ruling against Microsoft, which has been one of the great economic engines of the USA.

MTC-00014352

From: Kathy Gustafson
To: Microsoft Settlement
Date: 1/21/02 1:11pm
Subject: Microsoft Settlement
Kathy Gustafson 162 McDevitt Rd.
Beaver Falls, PA 15010
January 21, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Kathy Gustafson

MTC-00014353

From: John Bowman
To: Microsoft Settlement
Date: 1/21/02 12:18pm
Subject: Microsoft Settlement
John Bowman
3512 Roxford Drive
Champaign, IL 61822
January 21, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition

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Thank you for this opportunity to share my views.

Sincerely,
John W. Bowman

MTC-00014354

From: Harry Holding
To: Microsoft Settlement
Date: 1/21/02 12:34pm
Subject: Microsoft Settlement
Harry Holding
1003 Wetherby Way
Alpharetta, Ga 30022
January 21, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Harry Holding

MTC-00014355

From: Harry Thompson
To: Microsoft Settlement
Date: 1/21/02 2:26pm

Subject: Microsoft Settlement
Harry Thompson 4271 N. RiverGrove Circle
Tucson, AZ 85719
January 21, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

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Thank you for this opportunity to share my views.

Sincerely,
Harry Thompson

MTC-00014356

From: McNaalley
To: Microsoft ATR
Date: 1/21/02 4:19pm
Subject: Microsoft settlement
Michael McNaalley
2425 Fairway Dr.
Des Peres Mo.63131
USA
Fax 314 965 7040
Home Phone 314 965 7040
Email irismik@cwix.com
Jan. 21, 2002

Dear Mr. ASHcroft,

In regards to the government settlement with Microsoft, I would like to note my approval of going forward with the deal upon completion of the public comment period this month. I have supported Microsoft 100% during this process, and this agreement appears to be the only solution that will appease the critics, yet keep Microsoft's successful business structure intact.

In my opinion this case was inspired by a group of competitors who wished to tear down this fine company, and thereby gain market share for themselves. It was obviously accomplished by political means, and certainly has done no good in my eyes to those who were inferior business-wise. All of the concessions that Microsoft has made, I believe have been made under significant pressure generated by Democrat hacks.

After extensive negotiations with a mediator appointed by the court, Microsoft

has made a serious attempt to offer competitors a wider attempt to succeed where they were doing poorly, a free gift to them that cost Microsoft untold Millions of dollars in defense efforts.

I cannot say that justice was done!!!

At this point, we should let these terms be implemented in the interest of our country in general. This type of frivolous lawsuit should be outlawed. It only makes millions for the lawyers involved.

Sincerely,
Michael McNaalley

MTC-00014357

From: Luke A. Kanies
To: Microsoft ATR
Date: 1/21/02 4:19pm
Subject: Microsoft Settlement

[Text body exceeds maximum size of message body (8192 bytes). It has been converted to attachment.]

To whom it may concern:

My name is Luke Kanies, and I am currently employed as an Infrastructure Architect in the computer industry, and have been in the computer industry for nearly six years. I have worked with all currently popular computer platforms, and have long taken an interest in the computer industry as an entity, rather than just specific technologies or companies.

It is my opinion, based on my technical understanding of how Microsoft impacts the computer industry, that the proposed settlement will be bad for the computer industry, and possibly even bad for Microsoft. Further, even if I thought that the remedy itself were enough, the fact that it contains no actual punishment for not staying within the agreement would be enough for me to be convinced of the agreement's inadequacy.

First, the remedy:

The proposed settlement does not in any way limit the source of Microsoft's power, it merely addresses some of the ways in which Microsoft has already abused its power—it does not attempt to limit the ways in which Microsoft will attempt to gather power in the future.

Some of the key areas I believe that the settlement should have addressed but did not are: Proprietary file formats, illegally leveraging their monopoly to enter new markets (such as game consoles and ISP services), and modifying existing standards in a non-standard way in order to interfere with vendor compatibility.

Proprietary file formats:

One of Microsoft's main sources of income is from their Office suite (I believe it is greater than 50% of their income). In fact, I find it curious that this case covered Microsoft's monopoly in operating systems but seemed to largely ignore their even more entrenched monopoly in office suites.

One of the main reasons that Microsoft has such a strong market presence in office suites is because their file formats are proprietary; for instance, my wife's father owns a commercial architecture firm (Ritterbush, Ellig, Holsing, in Bismarck, ND) which was forced to switch from using Corel WordPerfect to Microsoft Word because many of their customers required

communication using Microsoft's proprietary file formats. Even though he preferred the non-Microsoft application, he was forced to give in to Microsoft's monopoly because other vendors are unable to effectively reverse-engineer Microsoft's file formats and thus support them. That difficulty is not accidental, either. Microsoft has a history of modifying their file formats with each new version of software, both to force users to upgrade and also to make it more difficult for non-Microsoft programs to read these formats. This trick would work against Microsoft if they were not a monopoly, but because of their market share it works very well in forcing users to always spend the money on the latest versions of Microsoft Office while keeping other vendors from supporting the current version of the file formats.

I believe that any settlement agreement should stipulate that Microsoft publicly release specifications for every file format or protocol which they either have a monopoly in (such as their Office formats) or is used or required by a product which they have a monopoly in (such as their file sharing protocol, CIFS).

Illegally leveraging their monopoly:

As we all know, it is not illegal to have a monopoly, it is only illegal to use the power from the monopoly to either maintain it or to enter new markets. The settlement agreement discusses specific instances of this, but in no way attempts to discuss this in general terms. This is a serious failing of the settlement agreement, because it only hopes to address current illegal behaviour but in no way attempts to curtail different types of future illegal behaviour.

Even using specific examples, it is very easy to find examples of Microsoft leveraging their monopoly to enter new markets, which is illegal (because they have already been found to be a monopoly). Two of the most pertinent examples are their MSN service and their Xbox gaming console.

MSN could not succeed if every copy of Microsoft Windows did not come with a client for it. This is an obvious example of Microsoft leveraging their monopoly in operating systems to enter the market of Internet Service Providing. In fact, MSN is now the second largest ISP in the country, purely because of the level of placement it gets in all Microsoft products. According to antitrust rules, this is clearly illegal, yet the settlement agreement does not even mention this very important area.

Another very high profile area which Microsoft has leveraged their monopoly to enter is gaming consoles. The main touted advantage of Microsoft's Xbox is that game developers can use roughly the same programming APIs (Application Programming Interfaces) on the Xbox as they do on Windows, making game development easier. Again, this is a clear example of Microsoft using the monopoly of their Windows OSes and the resulting ubiquity of Microsoft Windows APIs to leverage themselves into another, unrelated, market. This is another example of something which antitrust law states is illegal but which is not even mentioned in the settlement agreement.

In addition to Microsoft using their marketshare to branch into new markets,

both of the above products have lost or will lose so much money that if they had been attempted in the same manner by another company, they would have likely forced that company out of business. However, because of all of the money Microsoft has been able to accumulate, as a direct result of their monopoly, they are able to afford to lose significant amounts of money just in order to get into a new market. Of course, this was exactly how they gained dominance in the browser market, also.

Modifying standards:

One of the practices Microsoft is most famous for, often called "embracing and extending", is taking an existing standard as developed by an independent standards body (such as the IETF) and adopting it while modifying it slightly. This adoption and modification allows Microsoft to claim compliance yet actually makes Microsoft's products incompatible with products which implement the actual standard.

Without going into detail about them, some examples of standards which Microsoft has adopted but modified to suit their tastes are Java (a programming language whose modification resulted in a lawsuit which Microsoft lost), LDAP (a directory server protocol which Microsoft's Active Directory and Exchange services use), and DNS (which their Active Directory also uses).

In a normally operating free market, if a non-monopoly chooses to implement a modified form of a standard, then that company is nearly always punished for that choice. Microsoft's monopoly, however, protects them from the punishment that would normally be inflicted on them; this unfair protection from free-market rules is one of the main reasons for antitrust laws in the first place, so it would certainly make sense if any settlement agreement attempted to make Microsoft once again subject to the laws of the marketplace. Instead, the proposed settlement agreement is strangely silent on this entire concept, thus giving Microsoft further free reign to force their modified standards onto an unwilling computer industry.

Enforcement:

As to what happens to Microsoft if they fail to uphold the restrictions included in the settlement agreement, that is the portion of the agreement that I find most lacking.

The enforcement clauses of the settlement agreement remind me of the old stories of a British police officer's lack of credible threat: "Stop, or I'll say stop again!". As far as I can tell, if Microsoft does not follow the settlement agreement, then their punishment will be that the length of the agreement will be extended. Their will be no monetary punishment, no marketplace or legal punishment, merely that as long as Microsoft does not follow the, the rules will continue to be in effect.

This is purely nonsensical, as it provides no real motivation for Microsoft to even follow the terms of the agreement. There are no teeth to it forcing them to comply, merely an advisory panel which will report of their level of compliance.

As demonstrated by Microsoft's lack of compliance to their 1995 "Consent Decree", it is imperative that any settlement contain

specific monetary or legal punishments in the event of their lack of compliance with the agreement. Anything less is providing them nearly free reign to continue to flout the law.

Even if monetary punishment clauses are added, they must be large enough to actually serve as a threat to Microsoft. They have the largest, or one of the largest, market capitalizations in the world, and have billions in cash and tens of billions in essentially liquid forms; fining them one million dollars, or even ten million dollars, isn't really enough money for them to notice. Any monetary punishment should be equivalent to the money they have gained through illegally maintaining their monopoly, and that number is at least into the billions of dollars.

Conclusion:

Although these are what I believe to be the most obvious problems with the proposed settlement agreement, they are by no means a comprehensive list of the problems I find. Generally speaking, I find the settlement to be extremely light, given that Microsoft has already been found to be a monopoly by the US Court of Appeals and has been found to have illegally maintained and leveraged that monopoly, and given the obviously huge amount of money they have earned from having and maintaining (illegally) this monopoly.

It is especially galling that the US Department of Justice proposed a harsher settlement before Microsoft was even found to be a monopoly, yet now that Microsoft has lost that battle the US DoJ has decided to reduce their demands, rather than increasing them.

Luke A. Kanies

Infrastructure Architecture Consultant
Caterpillar Financial Services Corporation
(615) 460-0031
luke@madstop.com 2314 Vaulx Lane
Nashville, TN 37204-2626

MTC-00014358

From: Frank Lowney

To: Microsoft ATR

Date: 1/21/02 4:26pm

Subject: Microsoft Settlement

It appears to me that Microsoft is about to escape responsibility for its continuing anti-competitive behaviors. If true, that would reflect rather poorly on our system of laws and on DOJ as an advocate of the people of the United States.

The fact that those anti-competitive behaviors continue, albeit more subtly, to this day indicate to me that no remedy that relies upon Microsoft self-control will be effective. I would not want to see this company destroyed but I would like to see a significant leveling of the software and operating system playing field.

Splitting MS into at least two parts, one for operating systems and the other for application software seems to me to be the only reasonable remedy.

Thank you for taking the time to read this e-mail.

Best regards,

Dr. Frank Lowney flowney@mail.gcsu.edu
Director, Electronic Instructional Services,
a unit of the Office of Information and
Instructional Technology,

Professional Pages: <http://www.gcsu.edu/oit/eis/>

Personal Pages: <http://www.faculty.de.gcsu.edu/flowney>
Voice: (478) 445-5260

MTC-00014359

From: Susan Whitaker
To: Microsoft Settlement
Date: 1/21/02 12:24pm
Subject: Microsoft Settlement
Susan Whitaker
16080 NW 135 Street
Platte City, MO 64079
January 21, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

I am not completely familiar with the final agreement; however, I do believe there was no shortage of high-tech companies. Bill Gates did what America is supposed to be about—he built a good “better” mouse trap. It sold. Microsoft thrived. This is not and never was about a monopoly. It is about sour grapes and whining by companies whose leaders choose not to do what Gates did, coupled with a President whose only interest was himself and his personal interests. Clinton used his position in ways it never should have been used and in ways that should not have been allowed.

What Bill Gates did with Microsoft is supposed to be what America is about. But apparently this is no longer true. Instead of being able to enjoy the fruits of his efforts, he was pounced on by, what appears to be, a very oppressive Federal Government. This entire trial is or should be an affront to all Americans.

It happened because of greed and a total unwillingness of anyone in Congress or the Justice Department to say, no this is wrong. But no one did and it happened it. Now it is definitely time to say enough, this needs to and must stop now!

Thank you for this opportunity to share my views.

Sincerely,
Susan Whitaker

MTC-00014360

From: Buttars
To: Microsoft ATR
Date: 1/21/02 4:39pm
Subject: Settlement
Renata Hesse
Trial Attorney

Antitrust Division
601 D Street NW Suite 1200

Congratulations on a well negotiated settlement for the Microsoft company. Their competitors have now realized some assistance in the market and Microsoft understands their boundaries. Please accept this email as a letter of support for the settlement. America is ready for new technology and innovation.

Hopefully, closure of this lawsuit will start that process.

Sincerely,
Senator D. Chris Buttars
Utah State Senate

MTC-00014361

From: dtalbot@juno.com@inetgw
To: Microsoft ATR
Date: 1/21/02 4:47pm
Subject: Microsoft
Donald G. Talbot
7135 Evanston Street
Fayetteville, NC 28314-1277
910-867-7776
January 21, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

I have been a longtime watcher of the Microsoft case and have e-mailed my elected officials with the position that the case was not in the best interest of the taxpayers in this country. I also believed it showed a strong disregard for the principle that government should try its best not to interfere with the workings of business, whether small or large. Because of Microsoft, computers and software are inexpensive and available to the common user at home. We need to give Microsoft credit, not disdain for what they have done good for the computer user.

But today, there is a settlement on the table between the Department of Justice, Microsoft and nine attorneys general. I believe that in the interest of moving this case along that Judge Kollar-Kotelly will approve the settlement. It will mean changes at Microsoft, no doubt, with an independent group having the power to audit future actions of the giant software company. While such activity is not to my liking personally, I feel that it is worth it to move this case out of court.

As a former member of the Fayetteville City Council, North Carolina, I have seen what damage that lawsuits and potential lawsuits can do to the ongoing process of good government. They are often expensive for the city and occupy the time of employees and attorneys when eventually the suits are settled anyway—but so much farther down the road.

Thank you for allowing me to share my views.

Sincerely,
Don Talbot

MTC-00014362

From: Charles Barbour
To: Microsoft(u)atr(u)usdoj
Date: 1/21/02 4:54pm

Subject: Microsoft Settlement
Charles W. Barbour
900 E Harrison Avenue, Apt. A-6
Pomona, CA 91767
January 19, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

The purpose of this letter is to inform you of my support of the Microsoft settlement. Although I believe that the antitrust case was without merit, I am pleased to finally see resolution in the case. The federal government should not have the right to meddle with private enterprise, especially when that enterprise has so hugely benefited a developing industry while well serving consumer's interests and where monopolistic behavior has not existed.

Given these sentiments, I believe that the settlement is in the best interests of the economy and the IT industry, as it will allow Microsoft to return full focus to its business. Microsoft has agreed to the formation of a technical review board. This board will have the position of ensuring Microsoft's compliance with the terms of the agreement.

Obviously Microsoft has made significant concessions in an attempt to resolve this issue. I would hope that the Dept. of Justice would enact the settlement at the end of January.

Sincerely,
Charles W. Barbour

MTC-00014363

From: Jerry Klein
To: Microsoft ATR
Date: 1/21/02 4:59pm
Subject: Microsoft law suit

You have in my opinion as an investor, America would have been much better served if you had never started your suit against Microsoft. You should forget Microsoft and do something useful. Your suit wasn't helpful at all, fact is, you cost me a lot of money.

Jerry Klein
Box 128
Spring Green, Wisconsin 53588
608-588-7889

MTC-00014364

From: Wendy G. Gretzinger
To: Microsoft ATR
Date: 1/21/02 4:59pm
Subject: Microsoft Settlement Agreement

The attached was faxed to Attorney General John Ashcroft.

January 15, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

As a concerned citizen, I am writing to ask the Justice department to accept the recent settlement with Microsoft. After all the time and money spent on this drawn out federal lawsuit, it is time to accept this compromise.

The action taken against Microsoft has been heavy-handed and will not improve the quality or cost of products of technology. To attempt to break up a company that

manufactures so many widely used computer software products would be a disservice to the general public. People have preferred the Company and its products over other market products. Competitors either need to become innovators like Microsoft, or get out of the business. Although I did not support the idea of a lawsuit from the start, I do think this settlement should appease the critics and is a fair agreement for ensuring future competition. Microsoft has agreed on many fronts to not operate by retaliation against those who offer competitive products while opening their own technology to licensing opportunities. In some cases Microsoft will be delivering more than the government has requested.

As an interested citizen, I would hope the Justice Department would do the right thing. Please accept this good faith agreement between Microsoft and the government after the 60-day public comment period. Your consideration is appreciated.

Sincerely,
Wendy Gretzinger

MTC-00014365

From: erick senkmajer
To: Microsoft ATR
Date: 1/21/02 4:59pm
Subject: microsoft settlement

So your solution in the Microsoft settlement is to make the product even MORE ubiquitous by putting the software and related hardware into the only place where non-WinIntel Machines have a stronghold—education? Do you have stock in Microsoft or are you selling short on Mac shares? Sheesh.

I don't think you should EVER have gotten involved. I NEVER thought it was a good idea, no matter how much I dislike Microsoft. Getting the feds involved is sure-fire prescription for double-speak.

Erick J. Senkmajer
Charlotte, MI

MTC-00014367

From: Barbara Stepan
To: "microsoft.atr(a)usdoj.gov"
Date: 1/21/02 5:16pm
Subject: Microsoft Settlement

Dear Sirs,

I do not think that there should be any more delay in the Microsoft Settlement. I do not think Microsoft should be punished to the point of inhibiting their freedom to innovate and give us good products at lower prices. They have always kept prices down and had the best products which is good for the public. I do not support those special interest companies that want to take away competition for their gain only. The public doesn't gain by that. We have a choice in what we buy and we choose Microsoft. Millions of stock holders choose Microsoft to help them survive in their retirement and old age. We can depend on them. The public doesn't need protection from Microsoft.

We need protection from phone and cable companies where we do not have a choice! We are subject to price gouging, poor service and telemarketers who don't give their numbers so we can call back and ask them to take our name off their list if we are not interested. That is only fair. They even pester

us with computer calls and no one is there when you answer. We have to pay for them to use our phone service under unfair advantage. How popular a congressman would be if he would stop this unfair practice. Every one hates the constant interruption of these unknown telemarketers. Give us an equal advantage since we pay the phone bill, make them give their name and phone numbers. It should be against the law to call us if we have already called them and asked to be taken off their calling list.

Thank you.
Best Regards,
Barbara Stepan
Ph: 425-820-6363
Fax: 425-820-7031
EMAIL: bstepan@zetron.com

MTC-00014368

From: EXT-Drew, Sean
To: "microsoft.atr(a)usdoj.gov"
Date: 1/21/02 5:22pm
Subject: Microsoft Settlement

Note: All views expressed herein are my own and not necessarily representative of Adecco or Boeing. This email was written on my own time and not billed to Boeing.

After reviewing the settlement, I am absolutely flabbergasted at how little is being done to rectify the current situation. The suit found unanimously that Microsoft is and does operate as a monopoly. What is being done to break up the monopoly? Nothing! While there are some minor restrictions placed on Microsoft, those restrictions are of little or no consequence or, worse, empower Microsoft to be even more ruthless than it has in the past. How many more software companies must die before we act? We would have been better off without this suit, at least Microsoft had the fear of the DOJ potentially affecting its operations. Now Microsoft will know it is untouchable.

It appears that the only winner in the Microsoft antitrust case is Microsoft, who, quite ironically, is the defendant. Microsoft emerges as a clear winner:

*Microsoft can now terminate it's agreement to ship Windows to any OEM after just sending the OEM two letters for allegedly violating Microsoft agreements. The OEM will have no recourse. Allegations may be real or fabricated as the OEM has no recourse (section III—A).

*Microsoft can still offer predatory pricing on the base OS to promote Microsoft products (Section III—B, bullet 3). The fact that Microsoft has to offer the same predatory pricing offer to all OEMs is a tragic comedy. What good is predatory pricing unless offered to all major channels?

*Microsoft can delay access to the Windows API until after the last beta (section III—D). It is a simple matter to have the last beta end right before release, thus disallowing any competition.

*The very idea that Microsoft cannot alter OEM configuration for 14 days and can then thereafter nag the user to death until they agree to switch back to Microsoft products is at best a cruel trick to users (section III—H, bullet 3). Additionally, the add/remove seems only to apply to removing the icons in major menus, as opposed to actually removing the Microsoft software (section III—H, bullet 1).

*The Technical Committee (section IV—B) does not appear to allow for any real enforcement (in my opinion). Additionally, what are they going to enforce, the broad new anti-competitive powers given to Microsoft?

*While I am not a legal whiz, it seems that the whole document does not preclude Microsoft from bundling whatever it wants into the base operating system (as it did with Internet Explorer to the detriment of other browsers).

Why in the world is this monopoly not being broken up into multiple companies (2 at the least)? Why are the Microsoft anti-competitive practices being sanctioned and not prohibited? Why is the settlement for a such a short time (five years), or is that just to limit all the new anti-competitive powers bequeathed to Microsoft?

The big losers in this case are the user (lack of choice), the US software industry (lack of innovation, fear of Microsoft reprisals) and the DOJ (by delivering the weakest judgement conceivable which weakens confidence in the DOJ).

Note: All views expressed herein are my own and not necessarily representative of Adecco or Boeing. This email was written on my own time and not billed to Boeing.

Sean "Crash" Drew
DCAC/MRM Application Integration
voice: (425) 965-6791 fax: (425) 965-6766
pgr: (206) 989-7941 mail: drew.sean@boeing.com

Are bee keepers running a sting operation?

MTC-00014369

From: GK
To: Microsoft ATR
Date: 1/21/02 5:22pm
Subject: Microsoft

Dear Department of Justice,

I use Microsoft Windows and do not feel harmed by the so-called "Monopoly". . . . If you think about it, there has to be a "monopoly" so that computers can talk to each other.

Janet Reno started this lawsuit for political reasons. I hope that you will end it now.

Also, I think that it is wrong that the various States are getting on the bandwagon now to bleed Microsoft for the benefit of politicians and lawyers. Also, this lawsuit was for the benefit of Sun Microsystems and other big companies who donated money to the Clinton administration.

This is a free country. . . . you should not try to destroy American Business.

If you must do something in the Cartel area, why don't you try going after OPEC and their subsidiaries in the country who are selling gasoline.

George Kurzon
Peterborough, N.H. 03458
603 924 7600

MTC-00014370

From: JackCrawford@aol.com@inetgw
To: Microsoft ATR
Date: 1/21/02 5:25pm
Subject: Microsoft Settlement

I want to say that I used to be a fan of the Macintosh computer and its operating system. I have since found out that the MS OS is just as good as Mac OS and I have been changing over for about two years. I don't

think it is right for the government to tell me what to use on my computer for software. Microsoft is a fantastic company that earns its money and should be allowed to stay in business doing whatever it can to benefit us, the consumers of computer products.

Jack Crawford
Silver Spring MD 20906
301-946-3984(H)
301-902-8702 (W)

MTC-00014371

From: jbrucher@kurvesystems.com@inetgw
To: Microsoft ATR
Date: 1/21/02 5:27pm
Subject: Re: U.S. v. Microsoft: Settlement Information

After reviewing the documents related to the Microsoft settlement, it is my opinion that the judgment lacks sufficient punitive damages against Microsoft and stops short of truly ensuring future violations of a similar nature.

Microsoft shows no signs of changing its ways and from some accounts is working on ways to better cover up future communications that could possibly implicate them at a future date.

Although not part of the document set I reviewed, as it relates to this settlement, I am also distressed to hear the news media mentioning Microsoft reparations including the distribution of Microsoft products, or Microsoft operating system friendly products, distributed free of charge to any parties, public or private, such as public schools. I view this as a reward not punishment.

MTC-00014372

From: Michael Overton
To: Microsoft ATR
Date: 1/21/02 5:29pm
Subject: Proposed Antitrust Settlement To Whom It May Concern:

As a computer technician who has worked on computers since prior to the release of Windows 95, I urge the Department of Justice to reconsider the terms of this settlement in one primary area. This area concerns the compliance of Microsoft and the future bundling of programs and operating systems.

Under the upheld ruling of the anti-trust trial, Microsoft was declared a monopoly. They were found to be in violation of the law by illegally leveraging their operating system monopoly to promote other programs and eliminate competition. They made previous agreements to not conduct such actions, and consistently violated those agreements.

There must be a strong mechanism to prevent such actions in the future. There must be strong mechanisms to maintain competition in the marketplace, or there will be no marketplace. The computer market has been a market of explosive change and progression precisely because there has been so much competition in the past, but we are watching this competition rapidly erode into nothing.

Socialist systems and history both show the fundamental inability of a large monopoly to operate in the best interests of the economy and the consumer. The anti-trust laws of this nation were created to address this problem, and we risk having to re-learn what previous generations learned for us.

Please examine the past record of Microsoft in this area, and resolve this issue; not in the best interest of one corporation, or the short-term expediency of the government, but in the interest of preserving a robust and competitive marketplace.

Michael Overton
2500 E. Saginaw Ave
Apartment 13
Lansing, MI 48912

MTC-00014373

From: Bfox1964@aol.com@inetgw
To: Microsoft ATR
Date: 1/21/02 5:30pm
Subject: Microsoft Settlement

Please leave Microsoft alone! The lawsuit was political harassment in the first place by the Clinton Administration and it is time to drop any further persecution of Microsoft.

Brian Fox

MTC-00014374

From: Gregory Slayton
To: Microsoft ATR
Date: 1/21/02 5:28pm
Subject: Microsoft Settlement
Judge:

As the wife of a high-tech executive—and as someone who myself has been involved in the industry for years—it is clear to me that PFJ that the DOJ is proposing is ludicrous. Why should we trust a company that has been repeatedly convicted of abusing its monopoly position?

I ask you to look very, very carefully at the PFJ and at the findings of all the courts that have reviewed this case to date. I think you will find that the PFJ is completely inadequate in the face of the consistent findings of the trial courts. . . and the consistent pattern of abuse that MS has clearly demonstrated over the past 20 years.

Sincerely,
Marina Slayton
1242 Greenwood Ave
Palo Alto, CA
94301

MTC-00014375

From: Peggy Powers
To: Microsoft ATR
Date: 1/21/02 5:33pm
Subject: Microsoft settlement
Settle it without any more litigation.

MTC-00014376

From: Lee Wagstaff
To: Microsoft ATR
Date: 1/21/02 5:34pm
Subject: Microsoft Settlement
Lee Wagstaff
614 Pine Tree Court
Walled Lake, MI 48390-
Attorney General John Ashcroft
January 12, 2002
US Department of Justice
Washington, DC 20530-0001

Dear Attorney General Ashcroft:

I have very strong feelings regarding the recent settlement between Microsoft and the Department of Justice. I believe that the government's intervention in Microsoft affairs has done much to hurt the local and global economy. Mr. Attorney General, wrap up this settlement now. We can not continue to pride ourselves on our "competitive

spirit" and then take action against a company that has bolstered the entire economy of our country by that very same spirit. And, worse, this action was taken as a result of a few complaining companies that could not prosper in a competitive environment and, as a result, blamed Microsoft for their failure. When the complaining and ultimate threat of legal action drove Microsoft market value down, it deteriorated the overall market creating a hole that many companies fell into. Again, Mr. Attorney General, put an end to this economy debilitating, legal misadventure.

Everyone knows Microsoft has made very significant strides in the innovation of this industry. These major innovations may have given the impression that Microsoft desired to gain unreasonable control over the market. Not so. But in an effort to placate the punitively sponsored objections of its competitors, Microsoft has agreed to remove certain software features from its Windows Operating System to prevent imposition of future antitrust violations. Several changes have been made in their business practices. . Microsoft will disclose the internal interfaces and protocols of its Windows software to competitors; allow competitors to modify Windows to take out Microsoft software and put in their own; and have oversight from a Technical Committee. Their compliance has gone beyond the restrictions and obligations at issue in the lawsuit. I think that this is more than a fair indicator that Microsoft is willing to get back to the business of developing new products.

It is hoped that my expressed views on this issue will aid in the resolution of this matter. I am more than happy to know that there is so much cooperative effort to that end. Thank you for your wise leadership.

With deepest regards,

MTC-00014377

From: VPuri@aol.com@inetgw
To: Microsoft ATR
Date: 1/21/02 5:50pm
Subject: Microsoft Settlement
Rohi Puri
8514 Magnolia Drive
Lanham, MD 20706
January 21, 2002
John Ashcroft, Attorney General
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Attorney General:

As a concerned citizen of this great nation, I am writing to give my support to the recent settlement between the Justice Department and Microsoft. This case against Microsoft has gone on far too long, and needs to end immediately. I use Microsoft products every day at work, and I rely on their reliability. Breaking the company up would compromise the integrity of their products, resulting in down-time at my job.

After reviewing the terms of the settlement, I find them to be amply fair and reasonable. Microsoft has agreed to design future versions of Windows to provide a mechanism to make it easy for computer makers, consumers, and software developers to promote non-Microsoft software programs that compete with programs included within

Windows. Also, the company has agreed not to retaliate against computer makers who ship software that competes with anything in the Windows OS.

As you can see, Microsoft will not be getting a "sweetheart deal" by agreeing to this settlement. The government should accept the settlement that was reached, and move onto other matters like the Enron fiasco and terrorist threats.

Sincerely,
Rohi Puri

MTC-00014378

From: Paul Evans
To: Microsoft ATR
Date: 1/21/02 5:58pm
Subject: Attorney General Letter

The letter went out as an email the same day you sent the draft to me. I did not find it necessary to change any of the letter—it was well written.

Sincerely
Paul Evans

MTC-00014379

From: Bob Lindinger
To: Microsoft ATR
Date: 1/21/02 5:59pm
Subject: Microsoft Settlement

Per my rights under the Tunney Act, I am writing to express my opinion that the Microsoft antitrust case should be settled as quickly as possible, rather than litigated further. I am very pleased with the proposed settlement; it is tough, but reasonable and fair to all parties involved.

I am a consumer that uses many Microsoft products, including their Windows operating system. I have never felt "harmed" by Microsoft, on the contrary, I believe that their business practice is based on a virtuous positive feed-back business cycle based on very low price points leading to very high sales volume. This business model ideally suits the consumer who benefits from low prices.

Microsoft has always designed software for mass consumption. Bill Gates realized early on, that if he could design software suitable for a mass market, he could sell it at very low prices and make profits based on large unit sales. Excess profits could be reinvested in innovation and R&D to improve the software and make it more attractive to consumers and businesses. Hence, the positive feedback cycle.

That is why Windows has been such a huge success. Windows is excellent software priced very reasonably. Each version becomes more user-friendly and powerful, with new features to make it easier to browse the Internet, work with digital photographs, digital music, etc.

I believe there can be no monopoly in software. If Microsoft fails to continually improve Windows, a competitor will eventually emerge that offers a better operating system at a lower price. Already we are seeing the emergence of an alternative operating system offered for "free" by Linux and Redhat. This is gaining wide acceptance in some business circles and, if Microsoft were to stop improving Windows, it would only be a matter of time before Linux or some other alternative from Sun, IBM, Apple,

Sony, Computer Associates, SAP (the German software giant), or many other competitors, would start taking market share from Microsoft.

I do not dispute that Microsoft, right now, has a "monopoly" for personal computer operating systems.

However, Microsoft earned it by constantly innovating and keeping prices low. Other competitors have demonstrated that they can compete with Microsoft. Netscape was not inhibited from developing its browser, that threatened Microsoft's position. Sun Microsystems has developed its Java language and is promoting it aggressively.

I believe the saying that "high tech is a contact sport" that should only be played in the marketplace, not in the courts. Microsoft's competitors are the one's pushing for further litigation, not consumers or businesses that use Microsoft products.

The competitors would have us believe that no one can compete with the mighty Microsoft. I guess they don't remember all those prime-time TV commercials a few years ago for OS/2? that dandy little operating system from a wee little start-up called International Business Machines (IBM). But guess what? Nobody bought OS/2, because it was expensive and not as good as Windows.

Lindows.com is preparing to launch an operating system that can run both Linux and Windows applications on a PC, or run as a second operating system on a Windows machine. The point: to offer an alternative to Windows, to eliminate the frustrations that it's CEO, Robertson, says accompany installation and use of the Linux operating system, and to let Windows users run Linux programs without having to jettison Windows. If that's not different enough, he'll sell the Lindows operating system for just \$99, primarily in digital format, and with flexible licensing.

Clearly, Microsoft must continuously innovate to fend off competition. Those labeling Microsoft a monopolist just do not understand how quickly a "monopoly" can vanish in the world of high technology.

Our country would be served well if the antitrust case against Microsoft is settled as quickly as possible.

It will be good for our high tech industry, and be in the best interest of consumers' supposedly the intended beneficiaries of any antitrust litigation.

Finally, on a personal note, I think Scott McNealy is the biggest crybaby the business world have ever seen. I also think Larry Ellison should get a life and stop worrying about his relative worth compared to Bill Gates.

Sincerely,
Robert J. Lindinger
2339 W. Lydius Street
Schenectady, NY 12306
PS

I sent this e-mail before but neglected to include my full mailing address. I want to make sure that government regulators receive and acknowledge my advocacy for Microsoft and my desire to have this destructive antitrust case against the company settled as quickly as possible. Please stop wasting taxpayers money.

CC: Lucky.activism@moraldefense.com@inetgw

MTC-00014380

From: Rawsthorne, James
To: "Microsoft.atr(a)usdoj.gov"
Date: 1/21/02 6:06pm
Subject: Micorsoft settlement

Dear Sir or Madam:

I find the proposed DOJ settlement to be not in the best interests of the people of the US. MS, as a proven monopoly has abused it's position and nothing in the current settlement addresses this. MS has continued to exert monopolistic influence in a variety of fields including streaming media, standards development, and web technologies.

Please revisit the issue for a settlement that actually addresses MS's overbearing influence on the market.

thanks,
James Rawsthorne
James—Rawsthorne@nrel.gov

MTC-00014381

From: arlene f harrison
To: Microsoft ATR
Date: 1/21/02 6:10pm
Subject: settlement
7002 Meadowdale Beach Road
Edmonds, Washington 98026
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you today to express my opinion in regards to the Microsoft settlement that was reached in November. I am a believer of free enterprise and would like to see the government allow Microsoft to prosper due to hard work. I support the settlement and am anxious to see this dispute resolved.

Microsoft has gone from a fledgling company to a giant enterprise through talent and hard work. This combination can only benefit the economy and consumers. This settlement will benefit the technology industry by granting more rights to computer makers to configure Windows to promote non-Microsoft software programs that compete wit programs included within Windows. Microsoft has also agreed to disclose more information with other companies about certain internal interfaces in Windows.

This settlement will benefit everyone. Ending this litigation will benefit everyone. Please do your part.

Sincerely,
Arlene Harrison

MTC-00014382

From: Larry Campbell
To: Microsoft ATR
Date: 1/21/02 6:16pm
Subject: Microsoft Settlement

I am a software engineer who has worked in the computer industry for over twenty-five years. I have worked for large corporations (Digital, IBM) and small (I founded my own software company and ran it for ten years). I currently work for Akamai Technologies, an Internet content delivery service, but I write in my personal capacity and not as a representative of Akamai.

It has long been obvious to me and all of my colleagues that Microsoft is a predatory and dangerous monopolist who stifles innovation and competition in the industry. Because of Microsoft's total dominance of the industry, consumers have very little choice in not one, but many different product areas:

Operating systems: Microsoft Windows completely dominates this market.

Word processors: Microsoft Word completely dominates this market.

Spreadsheets: Microsoft Excel completely dominates this market.

Presentation software: Microsoft PowerPoint completely dominates this market.

Project management software: Microsoft Project completely dominates this market.

In these five distinct and separate product areas, there is no effective competition AT ALL because Microsoft has destroyed its competitors. Add to this Microsoft's enormous hoard of cash, and it is obvious that it would be suicide for any business to attempt to dislodge Microsoft in any of these categories. No matter how good your product, you'd run out of cash long before Microsoft would. In business, money is ammunition and it's not much of an exaggeration to say that Microsoft has it all.

Microsoft did not achieve this position because their products are superior. The industry graveyard is littered with the bones of competitive products, many of which were superior to Microsoft's at various points in time. But Microsoft, through its initial monopoly in PC operating systems and consequent guaranteed cash flow, has been able to subsidize tremendous marketing and development efforts devoted to crushing any and all competition.

It is widely accepted in the industry that the Microsoft culture is devoted, not to technical excellence, nor to serving customers, but rather to targeting a market segment and completely capturing it by crushing the competition. It is a competitive culture devoted to winning for winning's sake. It's a commonplace often heard from those who have been involved in negotiations with Microsoft that at Microsoft there's no such thing as "win-win"; there is only "win, you lose".

Even if Microsoft were not in the habit of engaging in predatory and ruthless and questionable business dealings, their enormous cash hoard and total dominance of the desktop computing market would make them dangerous.

In my opinion, the Revised Proposed Final Judgement is nothing more than a light slap on the wrist for Microsoft. The Judgement merely states that Microsoft should stop engaging in some of the anti-competitive behaviors that have gotten them to where they are today. May I point out what should be obvious? That it's too late! They have won. They dominate the industry. They are widely feared. It costs them nothing to agree to the Judgement because they no longer need to engage in these behaviors.

It is my firm view that the Revised Proposed Final Judgement will have little or no long-term effect, and that Microsoft will continue to dominate the industry, stifle competition and innovation, and use their

existing monopolies to allow them to gain new monopolies in new markets. An effective response to Microsoft must address these two points, which the current Judgement fails to do:

(1) It must punish them severely enough so as to discourage others from engaging in similar conduct in the future, and

(2) It must prevent them from extending their unlawfully-obtained dominance and strength from unfairly taking control of future markets.

The current judgement does neither. I am not an anti-trust lawyer and so I am not familiar with all of the remedies that might be possible, but I believe that to be effective the remedy must include elements of the following:

(1) Microsoft must be split into at least three independent entities (operating systems, applications, services)

(2) Those Microsoft senior executives responsible for their past behavior must be punished personally, with either jail time or huge fines

(3) The same senior executives must be compelled to choose, after the breakup, which (if any) of the new companies they will be associated with and must not be permitted to be associated with more than one of them.

You know the old saying "crime does not pay"? If the current Judgement stands as the government's last gasp in this matter, we'll have to change it to "crime does pay". Microsoft has shown us the way.

Larry Campbell
452 Boylston Street
Brookline, Mass. 02445
campbell@theworld.com

MTC-00014383

From: Dick Erickson
To: Microsoft ATR
Date: 1/21/02 6:22pm
Subject: microsoft settlement

For the record, I am against any distribution of Microsoft products as part of any settlement of the anti-trust case. Such a distribution could only be considered a reward to the existing monopoly. Leave the issue of children and schools out of it; how can competitors win against "free" software/hardware.

The suggested additional considerations put forth by the State AG's should be carefully evaluated for adoption, as they were put forth without any perceived political influence that Microsoft may have had on the U.S. government through contributions and economic threats.

Dick Erickson
P. O. Box 88
Klawock, AK 99925
CC:microsoftsettlement@alexbrubaker.com
@inetgw

MTC-00014384

From: Randy Kramer
To: Microsoft ATR
Date: 1/21/02 6:33pm
Subject: Microsoft Settlement—I am not in favor, the penalties are not sufficient
Ladies and Gentlemen,
I am not in favor of the proposed settlement in the Microsoft case. Among

other things, I believe that the penalties are insufficient. Microsoft has developed a monopoly position in the software market, and it has accomplished some of this using methods that violate the antitrust laws or fair business practices.

Companies have gone out-of-business or been severely hurt by their tactics, and other companies have never started.

The penalties against Microsoft must be strong enough to reverse this trend in the industry, to give other companies or initiatives a chance to survive without fear of being driven out of business by unfair Microsoft tactics. And, as in the case of civil rights, redress must be made for past wrongs.

I do not believe the proposed penalties are anywhere near sufficient, and will, in fact, allow Microsoft to perpetuate and expand their monopoly position.

Microsoft should not be allowed to pay their penalty by supplying copies of their own software—this is like giving them a license to print money—they can produce copies of their software at a very low marginal cost compared to the retail "value".

In addition, allowing them to put this software in schools where it exposes the next generation to the current ubiquitousness of Microsoft software is like giving them free advertising to perpetuate their monopoly.

The penalty should be in terms of hard cash, or real hardware purchased from non-related companies, with no chance of associated sweetheart deals. In fact, the hardware should only be supplied without an installed operating system, or with a non-Microsoft operating system, by a company (or companies) that make a commitment to make the same products (without an installed operating system) available for sale to the general public.

Furthermore, the proposed amount of the fine, \$1.1 billion dollars, is a pittance for a company where one owner of the company has amassed a fortune approaching \$50 billion dollars, some as a result of the unfair business practices.

Some people might be anxious to settle this case quickly, partly as a result of the events of September 11, 2001. I would like to see it settled quickly also, but not at the expense of failing to accomplish the objectives of the case, or providing adequate penalties to redress the wrongs that have occurred and make a more competitive climate in the industry.

I believe our government, country, and people are strong—we can multitask—this case can be prosecuted to the extent necessary without diluting the effort to stop terrorism.

Sincerely,
Randolph H. Kramer

MTC-00014385

From: Stan Rostas
To: Microsoft ATR
Date: 1/21/02 6:36pm
Subject: Microsoft Settlement

I specifically and our office generally are OS agnostic. What we want is a computer and OS that utilize and imbed open standards so that no matter which hardware or OS we choose to use can co-exist with other hardware or OS. Presently this is not

the case with any of the OS's available, though Microsoft has set the standard for hindrance of this ideal. This settlement will allow Microsoft to continue to impose proprietary software code that will block entry by others in the software and hardware areas. Of course others could adopt these proprietary software code but Microsoft would then continue to prohibit any innovation that it would not see benefit its dominance of the market. The present settlement has acquiesced to the demands of Microsoft and not of the people of the United States allowing with little to no penalty for this corporation to continue on with the charade which will allow them to eventually become the only alternative making it impossible without great cost and us economic impact to resolve. It is as if we have given GM the sole rights to the combustion engine so that all cars would be powered by what they conceived with only the others providing the different style exteriors. GM could then hold these motors from anyone who would not use new items that only it could provide.

Moving a car though is not nearly as hard to overcome as the base OS of a computer since it interacts with all the hardware devices of a computer. I hope the representatives of we the people reconsider the resolution and require Microsoft to open up their OS to some form of non-proprietary standards.

Thanks

Stanley Paul Rostas
Shook
2151 Hawkins Street
Suite 400
Charlotte, NC
T.704.377.0661 E.105
F.704.377.0953
M.704.517.0749
<http://www.shookdesign.com>

MTC-00014386

From: Andrew F Grisham
To: Microsoft ATR
Date: 1/21/02 6:39pm
Subject: Microsoft Antitrust Settlement
From: Andrew F. Grisham
8713 Golden Gardens Dr. N.W.
Seattle, Washington 98117-3942
andrew.grisham@juno.com
(206) 783-5037
To: Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
January 17, 2002

Dear Mr. Ashcroft:

I am writing today to encourage the Department of Justice to accept the Microsoft antitrust settlement. The case has been going on long enough and it is time to move on. The terms of the settlement are fair and the government should accept them.

The antitrust case against Microsoft has been going on for over three years now. It is time to put it to rest. Microsoft has agreed to many concessions to reach the settlement. They even agreed to terms that extend well beyond the products and procedures that were actually at issue in the suit, simply for the sake of putting the issue behind them. For instance they have agreed to design

future Windows? versions s as to make it easier for competitors to promote their own products. They have also agreed to grant computer makers broad new rights to configure Windows so as t make it easier for software developers to promote their own products. These concessions and more make up the basis for the settlement.

It is time that the government let Microsoft and the technology industry move forward. The only way to move forward is to put the issue in the past. Please accept the Microsoft antitrust settlement.

Sincerely,
Andrew F. Grisham

MTC-00014387

From: Chris Carver
To: Microsoft ATR
Date: 1/21/02 6:41pm
Subject: Microsoft Settlement
1646 Harvey Road
Fruit Heights, UT 84037
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

For the past three years, the Microsoft and the Department of Justice have been involved in an antitrust case of tremendous proportions. Late last year, after lengthy negotiations supervised by a court-appointed mediator, a settlement was reached. The settlement is currently under review, and Microsoft's opponents are taking advantage of this period to undermine it. I believe it will be to the disadvantage of the American public if this case is not settled soon and on just terms.

One problem I have with the states who did not agree to the settlement is that it seems like they want to make Microsoft suffer unfair consequences. The anti-competitive practices being referred to by the dissenting state AG's occurred before Microsoft had been declared a Monopoly. Microsoft's conduct would not be considered illegal if MS had not been declared a monopoly. But this was post facto. It seems entirely unfair to expect MS to compete with other businesses under the rules governing Monopolies before they had been declared as such.

I believe the terms of the current settlement are fair and that it would be prudent to cease litigation and take the opportunity to settle now. No further action is necessary on the federal level, and it is in the best interest of the state, the economy, and the consumer to move on. Please give your support to the settlement.

Sincerely,
Chris Carver

MTC-00014388

From: Brent Parker
To: Microsoft ATR
Date: 1/21/02 6:37pm
Subject: To Renata Hesse

Dear Renata Hesse,

Over the past 18 months I have watched the Microsoft antitrust lawsuit with great unhappiness at the way our national dollars were being spent. The Microsoft competitors

were able to gather enough support to raise some concerns about the Microsoft business and use tax dollars to resolve their problems. It is now time to close the issue and move forward.

I send this letter to support the settlement that has been negotiated. There are compromises and parameters established in the settlement that should satisfy the information technology industry and allow them to move forward with their marketing strategies. I urge your acceptance of the settlement.

Sincerely,
Brent Parker, Representative
Utah House of Representatives
District #5

MTC-00014389

From: Andrew F Grisham
To: Microsoft ATR
Date: 1/21/02 6:45pm
Subject: Fw: Microsoft Antitrust Settlement
From: Marilyn J. Grisham
8713 Golden Gardens Dr. N.W.
Seattle, Washington 98117-3942
(206) 783-5037
To: Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
January 17, 2002

Dear Mr. Ashcroft:

I am writing today to encourage the Department of Justice to accept the Microsoft antitrust settlement. The case has been going on long enough and it is time to move on. The terms of the settlement are fair and the government should accept them.

The antitrust case against Microsoft has been going on for over three years now. It is time to put it to rest. Microsoft has agreed to many concessions to reach the settlement. They even agreed to terms that extend well beyond the products and procedures that were actually at issue in the suit, simply for the sake of putting the issue behind them. For instance they have agreed to design future Windows? versions s as to make it easier for competitors to promote their own products. They have also agreed to grant computer makers broad new rights to configure Windows so as t make it easier for software developers to promote their own products. These concessions and more make up the basis for the settlement.

It is time that the government let Microsoft and the technology industry move forward. The only way to move forward is to put the issue in the past. Please accept the Microsoft antitrust settlement.

Sincerely,
Marilyn J. Grisham

MTC-00014390

From: Jack O'Leery
To: Microsoft ATR
Date: 1/21/02 7:03pm
Subject: Microsoft Settlement

To the blood-sniffing hyena states: Take the MSFT settlement offer, shut up and go home.

To the DoJ, its ego-trip prosecutors, the harassing, incompetent courts, and to the whining chorus of aggrieved MSFT competitors: close the books in this case, pack up and go home.

OPHTH1

MTC-00014391

From: John Brugger
 To: Microsoft ATR
 Date: 1/21/02 7:07pm
 Subject: microsoft settlement

the offer under consideration seems to me to be fair to all parties and settlement will avoid further confusion and avoid more lengthy arguments and annoying and expensive delays.

John A. Brugger

MTC-00014392

From: Steve Buckstein
 To: Microsoft ATR
 Date: 1/21/02 7:11pm
 Subject: Microsoft Settlement

Statement Re Microsoft Settlement:

As a personal and corporate consumer of Microsoft products, please accept this message as my support for the Department of Justice to settle your case against Microsoft as quickly as possible. I have never felt harmed by Microsoft's business practices. I do not believe that consumers in general have been harmed by Microsoft's business practices. In fact, on balance I believe consumers have greatly benefited from Microsoft's innovation and creativity.

The sooner both Microsoft and its competitors can get this case behind them, the quicker they can turn their full attention to developing and marketing innovative products at competitive prices.

Oregonians have been hit harder by the current recession than most Americans. Oregon currently has the highest unemployment rate in the nation. I and countless thousands of other Oregon investors own shares of Microsoft either directly or indirectly through mutual funds and retirement accounts. The sooner the Department of Justice case against Microsoft is settled, the sooner market uncertainty around its shares will subside. This can only be good for Oregon's faltering economy. Investors who see the risk in their portfolios decline are more likely to engage in new economic activity, put more people to work, etc.

Thank you for considering my remarks in regard to the Microsoft case.

Steve Buckstein, President*
 Cascade Policy Institute
 813 SW Alder, Suite 450
 Portland, Oregon 97205
 (503) 242-0900

* This statement represents my personal views, not necessarily the views of my organization.

MTC-00014393

From: John McLeod
 To: "Microsoft.atr(a)usdoj.gov"
 Date: 1/21/02 7:05pm
 Subject: Microsoft settlement

The proposed settlement from Microsoft seems more like an ingenious marketing plan than a punishment. With this plan, they are allowed to invest in a market (Education) to guarantee later sales. This is no more than a company giving a customer a free razor, knowing full well that he can only buy the blades from them. By pushing more Microsoft desktop and server products in, it

forces the schools to move farther away from Microsoft's competitors (Primarily Apple, Linux and Netware). As part of my job, I administer PC's, Macs and Servers. Whether it's Licensing, maintenance or day to day operation and administration, Microsoft based units cost us more and are more difficult and more expensive to maintain. All types of computers break or have problems, regardless of brand. The difference is, what does it take to fix or maintain them. With Microsoft based operating systems, Maintenance and Repairs are normally done by a larger IT Staff instead of the user or teacher. This is because an average user will never have the knowledge to perform the troubleshooting required. This settlement may cost the schools much more in maintenance and upgrades down the road than they could ever budget. This is coupled with the fact that Microsoft is constantly pushing its users to upgrade for the sole reason that maybe the new system will actually work. How many upgrades will schools (and their taxpayers) have to suffer through before they have stable system in the classroom? No one will ever know. It's never happened before with a Microsoft-based network.

John McLeod
 Reb81@mindspring.com

MTC-00014394

From: Charles Bellina
 To: Microsoft ATR
 Date: 1/21/02 7:17pm
 Subject: HAS YOUR OPINION BEEN

COUNTED.H

Attorney General's Office;

I come down on the side of MICROSOFT and ask to that the company be cleared of all charges.

Charles Bellina

MTC-00014395

From: pammie@clds.net@inetgw
 To: Microsoft ATR
 Date: 1/21/02 7:15pm
 Subject: Microsoft Settlement
 Download NeoPlanet at <http://www.neoplanet.com>

707 Marlborough Court
 Hinesville, GA 31313-5540
 January 21, 2002
 Attorney General John Ashcroft
 US Department of Justice
 950 Pennsylvania Avenue, NW
 Washington, DC 20530-0001

Dear Mr. Ashcroft:

In my humble opinion, a lawsuit of this magnitude gives the appearance of punishing a company for being successful. Microsoft is a leader that has set the standard for the industry. Is it fair to punish them for their competitors' inability to keep up? If these competitors were able to make better products, don't you think they would? This long, drawn-out, three-year lawsuit has accomplished nothing except damage the economy and the industry by limiting Microsoft's ability to focus all their time and effort in creating new and better products. This case has also done much to damage the confidence of the average American in the government and its policies. It seems that the message being sent to the public is that is you

work hard and produce a great product; the government will step in and punish you for being successful. Rather than continue to defend themselves, Microsoft just wants to end the lawsuit, even at the cost of big concessions. So much so, they have agreed to restrictions that extend to items that were not even at issue in the lawsuit. They have agreed to allow computer makers to remove (or remove easy access to) Windows features such as Internet Explorer and Windows Media Player, and allow easier installation of and access to non-Microsoft alternatives. In addition, Microsoft has made it easier for competitors by making its intellectual properties and protocols more readily available. It has become so simple for consumers to use other browsers and media players that it makes me pause and wonder if the consumers are the one complaining, or is it the other computer companies? Is it simply a matter of politics? Have politics sold out to computer companies who don't stand a chance in the marketplace because of their lack of vision and inability to "build a better mouse trap"? Does it all boil down to which members of the government can be bought? It's unreasonable to reject the settlement to pursue the case further for even more concessions, when Microsoft's concessions are quite tough as it is. I appreciate this avenue of public expression and hope that my views on this matter will aid in the prompt resolution of this matter. It would be good to know if your office truly values the input of the public.

Sincerely,

Pam Mitchum RPh

MTC-00014396

From: ROBERTSON, JUAN
 To: "microsoft.atr(a)usdoj.gov"
 Date: 1/21/02 7:35pm
 Subject: This new PASSPORT requirement imposed unilaterally by Microsoft is necessary

This new PASSPORT requirement imposed unilaterally by Microsoft is necessary to receive updates to correct defects in software that has been sold to me and represented as fit for use.

In passport, I am required to provide additional information about myself, with no opportunity to ask Microsoft to keep my information confidential. This is an additional "taking", a unilateral ex post sale requirement in order to receive something already promised to me. I find that abusive.

Juan P. Robertson PhD
 21937 7th Avenue South #216
 Des Moines, Washington 98198

MTC-00014397

From: pb
 To: Microsoft ATR
 Date: 1/21/02 7:45pm
 Subject: Microsoft Settlement

To whom it may concern:

I hereby voice my objection to the proposed Microsoft settlement. It will have the opposite effect intended. It will help Microsoft have even a more of a monopoly, by taking away education business from Apple. Furthermore, it does little to thwart Microsoft's continued monopolistic practices. What really needs to be done is to

completely break-up the company— isolating the operating system from the rest of their software products.

Thanks for listening.
Sincerely,
Mr. Philip

MTC-00014398

From: Jeff Humberson
To: Microsoft ATR
Date: 1/21/02 7:47pm
Subject: Microsoft Settlement

Dear District Court Judge,
Microsoft is company that competes in a free market. I made the choice to buy their products. Microsoft is successful because they currently make the best product on the market. This does not mean that they will always be this successful. If another company comes out with a better product people will buy it. Remember how powerful IBM used to be.

Don't punish Microsoft's success; you will only be lowering the bar for Microsoft's competitors and hurting the consumer. This lawsuit is immoral and I order you to stop it.

Jeff W. Humberson, DDS
Citizen, State of New Mexico, USA

MTC-00014400

From: Bob McDermott
To: Microsoft ATR
Date: 1/21/02 7:52pm
Subject: Microsoft settlement

MTC-00014401

From: Dryjy@aol.com@inetgw
To: Microsoft ATR
Date: 1/21/02 7 52pm
Subject: USAGYARBROUGH—JOE—1078—0118.DOC
5568 Matt Aaron Lane Birmingham, Alabama 35215

January 21, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

I write today to give my support to the settlement that was reached between Microsoft and the U.S. Department of Justice. This settlement is fair for all parties involved, and the remaining states should settle instead of pursuing litigation against Microsoft. Microsoft has agreed to license its Windows to the twenty largest computer makers on identical terms and conditions, including price. These are heavy hitters of the IT industry, and they will now be able to collectively leverage an extreme amount of power against Microsoft. Also, Microsoft has agreed not to retaliate against software or hardware developers who develop or promote software that competes with Windows or that runs on software that competes with Windows.

I urge that no further action be taken against Microsoft on the federal level, and the settlement be accepted by the Justice Department. This settlement is strong enough for any reasonable person.

Sincerely,
Joe Yarbrough
Cc: Representative Spencer Bachus

MTC-00014402

From: Cameron Quinn Lauseng
To: Microsoft ATR
Date: 1/21/02 7:52pm
Subject: Settlement Problems

I am sorely disappointed with our Justice Department for obvious lack of judgement in creating such a soft and ineffectual settlement against Microsoft. This settlement has little more effect than the previously issued injunction against Microsoft, which they flagrantly violated. This current settlement does nothing to address this serious defiance of the American Justice system, does not address the demonstrated contempt of the American Justice System, and does nothing to remedy the half decade of damage to the American public that Microsoft's dramatically illegal behaviour caused.

Furthermore, because this settlement fails to declare remedy for these past serious abuses of our laws, it will prove to be no more capable of restraining Microsoft's behaviour. Indeed, it can be found that Microsoft's newest operating system, Windows XP, may already be in violation of the settlement, by requiring consumers to subscribe to Microsoft services on the internet in order to get full use of features of the software. I would consider this rather prejudiced against other middleware providers that already offer these services that Microsoft is requiring subscription to.

I continue to be astonished at the short-sightedness of elements in our Justice system concerning this case. How can anybody seriously think that such a minor settlement will do anything to prevent future violations against the American public, considering past behaviour. Does the DOJ care nothing that Microsoft violated the previous consent decree within months of its issuance?

I would also like to point out that the form of this settlement requires a rather expensive on-going enforcement by State and Federal agencies. This will prove to be dramatically expensive to the American taxpayers in the long run. Would not a firm and definitive remedy that provided an automatic mechanism of future competitive operations (split up) prove to be much less expensive to the American people?

With the enforcement mechanism currently provided for in this settlement, the American people can expect a protracted period of history of expensive court proceedings, remedies, judgements, filings, etc., and even an entire government agency just for the maintenance of this one settlement.

Though Jackson's behaviour was deplorable, I can't see that the breakup judgement could be set aside so easily. This only proves that our judges are not blind to subjectivity. One spoke out, the other one who turned it around so quickly made just as loud a statement. There is no difference in the lack of objectivity of either of the judges involved.

Cameron Lauseng
Whitmore Lake, MI

MTC-00014403

From: Kyle Knohl
To: Microsoft ATR

Date: 1/21/02 8:02pm
Subject: Microsoft Settlement
Dear Sir or Madam,

I am a software engineer and a college student. I hope that by the time I have some experience and have gotten my degree that this monopoly of Microsoft's will no longer be what it is today. I look forward to a future in which I can create applications without fear of being pushed out of business because Microsoft does not like my application moving in on its turf. I have been putting off writing this letter for a long time. I have looked over the documents and talked to friends about the case. I tried to get others to write, but with little luck. One friend said he didn't want to be on Microsoft's blacklist. I think this is a little extreme, but I do not know what Microsoft is capable of.

I wished to comment about this Microsoft case and the settlement that has been proposed by the Department of Justice. This settlement worries me. It seems to me that Microsoft has won a reprieve from any punishment for their actions. The lawyers for the people have not secured many safeguards for their clients. The group of three to oversee Microsoft's actions are half chosen by Microsoft. Even if these three people were able to find instances in which Microsoft had misbehaved, Microsoft seems to have cleverly organized the rules so that it dodges the main things that need to be changed. By getting the rules to exclude the Free Software movement, and safeguarding a few of their main business practices, they dodge much of the power of this group. Anyway, Microsoft seems to be changing its business model into one which dodges the constraints completely, a subscription based model.

Microsoft has long been bullying different companies. The attorneys for the Department of Justice seem to feel that a weak settlement is better than none for a few years. I disagree, I feel that a weak settlement will only lead to another case beginning in a couple years. I also have gotten the feeling, the Department of Justice feels this case is harming the economy. Large controlling monopolies have never been good for our economy. The small innovators are the strength behind capitalism. Microsoft stifles these innovators.

For a long time, I only saw one chance for this monopoly to end, and it had to do with the government punishing and limiting its actions. Two new chances have arisen: the European Commission and the Free Software movement. Neither seem ideal, but they can at least fight against the monopoly. Free Software can fight Microsoft, because Microsoft has nothing to use against it. Taken to an extreme, Free Software could put me out of a job. As time goes on though, Free Software seems more and more attractive. After years of seeing Microsoft control the software of the world, Free Software seems the only way in which people can have a choice again. This also allows me to create applications of my own without worrying about them being destroyed. The European Commission is the other chance. They have been investigating lately, and could impose a very large fine. A fine, while not enough, would stop Microsoft from pushing its way into markets by taking huge economic losses

on their products. Two good examples of this are the 400\$ MSN subscription bonuses and the sale of the Xbox at a 100\$ loss, though I have no way to verify the Xbox practice because I do not know Microsoft's price on the boxes. Microsoft has control over not just the desktop market but also the office suite market. This allows them to use either one to support the other. I hope that any agreement carries with it a publishing of the formats in the office suite so that compatible products can be made for other operating systems. I know many companies would like to switch to a Unix based desktop but cannot because the Microsoft Word document format is used as a collaboration tool with other companies. Since this format is so convoluted, it is extremely hard to find an application that is compatible enough to use in the business world. By using this fact, they can force unwanted operating systems from the desktop market.

Part of the reason that I waited was to see how Microsoft would behave after the settlement was reached. Their behavior since then has worried me. It feels as if they are going back to their old behaviors. I hope that the conclusion of this case forces Microsoft to acknowledge their wrong-doing and apologize for their behavior. So far, it seems as if Microsoft still feels they have never done wrong. I see contempt for the world in their actions.

Sincerely,
Kyle Knohl

MTC-00014404

From: David Hobart
To: Microsoft ATR
Date: 1/21/02 8:16pm
Subject: Microsoft
Nail Microsoft. They deserve it.
David Hobart

MTC-00014405

From: fcbunk
To: Microsoft ATR
Date: 1/21/02 8:17pm
Subject: Letter

We did mail a letter on Sunday, January 20, 2002 From Clara Buknk

MTC-00014406

From: John J. Murphy, M.D.
To: Microsoft ATR
Date: 1/21/02 8:24pm
Subject: Microsoft Settlement

I definitely object to the proposed settlement in the Microsoft case. Microsoft was found guilty in court. Microsoft and it's chairman and lawyers lied time after time in court.

What message is my government sending to me? Break the law, lie about it, and then the government will pretend no one was hurt and help me make more money by screwing other US citizens. Microsoft prevents me, a hard working American from using the very best software in the world. With their monopoly, they force me to buy buggy, defective software at an inflated price because the competition was forced from the market. Any settlement should not be about punishment so much as about preventing future monopolistic and anti competitive business practices.

They must be strictly monitored by outside unbiased monitors. They must not be given the opportunity to break the law again. Strict regulation is in order. Monetary damages are also in order. Companies should not get to keep profits earned through illegal operations.

Again, if I break the law, I am sure the government will seize my assets.

Thank You
John J. Murphy, M.D.
Southwestern Research, Inc.
435 North Bedford Drive
Suite #216
Beverly Hills, CA 90210
1-310-858-7448

MTC-00014407

From: MerrillDixon@cs.com@inetgw
To: Microsoft ATR
Date: 1/21/02 8:38pm
Subject: Microsoft Public Comment

As I have followed the trial on TV and in the newspapers, it has been evident that the trial related to economic, philosophic and business interests. It did not relate to the typical PC owner that wants to buy a machine, turn it on and use it. Fact, there is no viable alternate operating system for the typical PC owner. If there was, people would be glad for the choice and Microsoft would not be a monopoly. Microsoft is being punished for having the only system available for the novice. The bells and whistles, like a browser, are part of what makes a PC salable to the average owner. If we had to buy a stripped OS and add all the features to make a PC work, there would be a lot less machines sitting in peoples houses. I appreciate and thank Microsoft for making my computer work. Look at what I am doing, I am sending an e-mail to the USDOJ. What a hoot! If all of these parties against Microsoft would make a competing OS for people like me, we would not be having this trial. I request that this action against Microsoft be dropped.

MTC-00014408

From: Micah Fitch
To: Microsoft ATR
Date: 1/21/02 8:38pm

To whom it may concern,
I think that Microsoft was let off the hook just because of 9.11. Microsoft dominates almost EVERYTHING in the industry, and it's not because their products are good quality. It's amazing that this case went on for so long, just to let Microsoft go easy because peoples minds were on Sept. 11.
micah

MTC-00014409

From: Brenner Adams
To: Microsoft ATR
Date: 1/21/02 1:18pm
Subject: Microsoft Settlement
5318 Avalon Drive
Murray, UT 84107-6220
January 18, 2002
Attorney General John Ashcroft
Pennsylvania Avenue, NW
Washington, DC 20530-0001
Dear Mr. Ashcroft:

Yo wassup? Last November, following a six-month period of round-the-clock negotiations supervised by a court-appointed

mediator, Microsoft and the Department of Justice reached a settlement in the Microsoft antitrust suit. The case has spent three long years in the federal courts, and now, as the settlement review period draws to a close, I fear the agreement will be thrown out. Nine states, including Utah, are currently seeking to overturn the settlement and to bring further litigation against the Microsoft Corporation. I do not feel that this is the appropriate course of action to take. Both the defendant and the plaintiffs are dealt with justly under the terms of the agreement, and I can find no reason for further action to be taken on the federal level.

The settlement binds Microsoft to compliance with a broad range of restrictions and affirmative obligations, some of which extend to services and software that the Court of Appeals did not determine to be unlawful. Microsoft agreed to these terms in the interest of expediting case closure. Under the agreement, Microsoft is prevented from entering into any contracts that would require a third party to exclusively market or distribute Microsoft products. Moreover,

Microsoft has agreed to furnish any party acting under the terms of the settlement with a license to applicable intellectual property rights to prevent infringement. The settlement thoroughly addresses all of the concerns brought to the attention of the Justice Department by the plaintiff states. I can only imagine that the motivation behind the litigation on the part of the plaintiffs is less than altruistic.

The economy has suffered while the Microsoft and the various plaintiffs have been tied up in this court battle, and the American public has likewise felt the effects. The IT industry has stagnated as well, and no good can come of extended suit. I believe it is in the best public interest for the case to be settled, Mr. Ashcroft. I urge you to support the agreement.

Sincerely,
Brenner Adams

MTC-00014410

FROM: James Johansson
TO: MS ATR
DATE: 1/21/02 8:41pm
SUBJECT: Fwd: Attorney General John Ashcroft letter

Attached is the letter we have drafted for you based on your comments. Please review it and make changes to anything that does not represent what you think. If you received this letter by fax, you can photocopy it onto your business letterhead; if the letter was emailed, just print it out on your letterhead. Then sign and fax it to the Attorney General. We believe that it is essential to let our Attorney General know how important this issue is to their constituents. The public comment period for this issue ends on January 28th. Please send in your letter as soon as is convenient.

When you send out the letter, please do one of the following" * Fax a signed copy of your letter to us at 1-800-651-2255; *Email us at fin@mobilizationoffice.com to confirm that you took action.

If you have any questions, please give us a call at 1-800-965-4376. Thank you for your help in this matter.

The Attorney General's fax number and email are listed below.

Fax: 1-202-307-1454 or 1-202-616-9937

Email: microsoft.atr@usdoj.gov

In the subject line of the e-mail, type Microsoft Settlement

For more information, please visit these websites: www.microsoft.com/freedomtoinnovate/www.usdoj.gov/atr/cases/ms-settle.htm.

The letter follows:

January 21, 2002

Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr Ashcroft:

After three long years of litigation I was pleased to hear that Microsoft finally reached a settlement with the Department of Justice. In reviewing the terms of the settlement I believe that the terms of the settlement are very fair. Microsoft has made many concessions in the hopes of a quick resolution. The settlement will benefit consumers and member sof the IT industry. The settlement stipulations contain many concessions. Microsoft has agreed to disclose information regarding the interface and protocols within the Windows system. Microsoft will also license Windows at the same rate to the larger manufactureres of PCs. In addition, they agreed to the formation of a technical review board that will ensure these terms are followed.

Microsoft is obviously willing to make concessions in order to resolve the issue. I support the settlement, and look forward to the end of the case.

Sincerely,

Jim Johansson

21 mallard Drive West
Berlin, MD 21811

MTC-00014411

From: Luther Moon

To: Microsoft ATR

Date: 1/21/02 8:47pm

Subject: Microsoft settlement

11 Vendue Court

Simpsonville, SC 29681

Phone (864) 228-2550

Fax (864) 228-0678

Mobil (864) 901-4155

From the desk of Luther Moon

January 3, 2002

Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

This letter is to talk to you about my feelings of the Governments involvement with, and the handling of, the Antitrust case against Microsoft Corporation.

To begin with, I do not feel this action is being taken against Microsoft on behalf of the American consumer. Fact is, it was then and is now, the consumer that decided what/ which product they wanted and liked best. It was this very freedom of choice by the consumer and freedom of enterprise for American Businesses that has made Microsoft' and America, the great country it is today.

It has been the great innovators like the John Rockefellers, JP Morgans, Andrew

Carnegies Henry Fords, and the Bill Gates of our time that has made this Country the great success it enjoys today and, it was this freedom to innovate that encouraged them to get up every morning and forge ahead with their ideas and ideals. What might happen to this nation, and its great Corporations, if this freedom to express and freedom to innovate continues to get trampled on.

It appears to me that the consumer can only be hurt and made to suffer the consequence of higher prices and less quality of product should the Government begin the dictatorial regulation of and dictating to a company what it can or cannot supply to, or for the benefit of, the consumer. It has been due to this freedom of innovation from Microsoft that the American consumer can today afford to have a computer in his home. It is also a computer in every home that has spurred an economic growth in this country unsurpassed by any nation in the world.

It wasn't until the dictatorial intervention of our Government into the innovative business of one of this Nations greatest Companies that this Country's economy, over night, started on a downslide, and economic collapse, unparalleled in the history of the world. The economic destruction of recourses that has ensued has been devastating to the American consumer. What, with all this Consumer protection. levied against the consumer in the guise of protecting the consumer, I'm just not sure I can afford, or need, anymore of this kind of consumer protection. I feel that I have received far more value and protection from Microsoft than I have in the protectionist interference from our Government.

This should be the business of business and not the interference of Government to dictate to the consumer what he or she can or cannot have and at what price we must pay for it. As a consumer and a Citizen of this great Land, I feel that I, and I alone, should decide what is served on my plate and how it is prepared.

I have Windows on my computer, not because someone else decided for me what I should use? and not because Microsoft decided for me what I should use? I decided which was best for me from the many choices that were, and still are, available on the market today. And yes, there are choices out there. I? m sorry, but I am being made to feel that because of the wishes of a mere handful, it is the masses that must pay and this is just not right. It must not be right.

What kind of settlement is it that would require a company to document and to disclose to its competitors the internal makeup of the various internal interfaces of its operating system products, and yet, that is exactly what this settlement requires of Microsoft. What more could Microsoft's competitors wish for and be more fair than this? Surely, this must be a first for an antitrust settlement.

In closing, I would like to say I am a small-business owner and I depend on Microsoft to keep things running for me. If the federal government pursues three more years of litigation in this matter, it would not only hurt Microsoft, but millions of home computer users and businesses across the country. I urge you to please put these

lawsuits to rest before our economy deteriorates any further. By intervening in business, you would only be discouraging competition by creating fear on the part of other companies wanting to enter the market. Bill Gates made some excellent business decisions, and he is now being punished for it. His company has done so much for the economy, and now the government is just wasting more money picking on their company.

Sincerely,

Luther Moon

MTC-00014412

From: Rick Morris

To: Microsoft ATR

Date: 1/21/02 8:51pm

Subject: Microsoft Settlement

Dear Sir or Madam:

I strongly urge you to proceed with settlement of the Microsoft case. The federal government clearly will be overstepping its bounds by pursuing this case further.

Sincerely,

Richard Morris

MTC-00014413

From: Thrun Robert IHMD

To: 'microsoft.atr(a)usdoj.gov'

Date: 1/21/02 9:04pm

Subject: Microsoft Settlement

Comments on the Proposed Final Judgment in United States v. Microsoft by Robert Thrun

I have downloaded and read both the Proposed Final Judgment and the Competitive Impact Statement. I am speaking for myself and not for my employer.

The Proposed Final Judgment seems to be an agreement by Microsoft to cease its illegal exclusionary tactics and do what it should have been doing all along. There is no punishment for past behavior or any "affirmative action" to re-establish competition. Even so, there are many loopholes that Microsoft can use to continue exclusionary tactics to maintain and extend its monopoly. The Competitive Impact Statement concentrates on Middleware and says nothing about other tactics that Microsoft uses.

Breakup

The Court of Appeals did not entirely rule out a breakup of Microsoft, but the Department of Justice abandoned the idea. I maintain that the best solution would be a breakup. Other solutions would involve micromanagement by either the courts or a government agency. I would break Microsoft into four parts:

1. Operating systems
2. Development tools, such as compilers
3. Application programs, such as Word and Excel

4. MSN, the Microsoft Network

The compilers must be able to access the operating system functions. The Microsoft compilers have an advantage in that the operating system documentation assumes the use of Microsoft compilers, and the Microsoft compiler writers find out about operating system features before any writers of competitive compilers.

The Microsoft application writers can request operating system support for features

they want to put into the applications and they find out about the operating system features before the writers of other application programs.

Internet Explorer and Outlook keep wanting to connect to MSN and use it. This is a great marketing advantage.

Definitions

The Competitive Impact Statement is poorly written. The Competitive Impact Statement refers to "definitions contained in the Proposed Final Judgment", but the definitions are in the Competitive Impact Statement, not the Proposed Final Judgment. The definitions are complex, vague, and written to show where Microsoft does not have to disclose information. Under the terms of the Competitive Impact Statement, Microsoft seems to still be able to define what is Middleware and what is part of the operating system. Microsoft was able to claim that Internet Explorer was an essential, non-removable, part of Windows by simply moving five essential files into the Internet Explorer subdirectory.

Microsoft claims to distinguish a new "major version" of Microsoft Middleware from an upgrade by its product numbering scheme. Then all Microsoft has to do to avoid releasing API details for a new Middleware version under section III.D of the Proposed Final Judgment is to change its numbering scheme.

The Competitive Impact Statement says that Microsoft does not have to disclose API details to any company that has not sold at least a million copies of a similar Middleware Product in the previous year. This would exclude startup companies and established companies wishing to expand their product line.

Prohibited Practice Issues

Microsoft cannot retaliate against an OEM in a logo or software certification program. However, the biggest use of such a program applied to application program vendors at the introduction of Windows 95. Windows 95 will run applications written for the older Windows 3.1. Applications could not use the Windows logo in their packaging or advertising to state that they would run under Windows 95 unless they were written in such a way that they would not run under Windows 3.1. This was a use of monopoly power that effectively killed some emulators that would have allowed Windows software to run under other operating systems.

The uniform license agreements described in Section III.B of the Proposed Final Judgment apply only to Microsoft's top 20 customers. They should apply to all OEM customers. The smaller OEMs are more likely to offer custom configurations of the operating system.

API Disclosures

The section of the Competitive Impact Statement relating to Section III.D of the Proposed Final Judgment seems to say that Microsoft should release documentation about operating system APIs in much the same way it is currently being done. However, the Competitive Impact Statement has a couple of loopholes in its definition of "Timely Manner". For operating system APIs, documentation must be made available when a beta test version of the operating is

released with a distribution of at least 150,000. What if only 140,000 copies are released? For Microsoft Middleware, the documentation must be released at the time of the final beta test version. Microsoft could release a beta just before the release of its product. Either way, this would allow time for the Microsoft products to become entrenched in the market.

Communications Protocols

Under the section of the Competitive Impact Statement entitled "Microsoft Must Make Available All Communications Protocols" is specifically stated that Microsoft does not have to disclose server-server protocols! I don't know what, but it seems obvious that Microsoft has some trickery in mind with this provision.

Preservation of OEM Defaults

A provision of the Competitive Impact Statement allows Microsoft to "override existing defaults" when accessing a server maintained by Microsoft. This translates to a requirement for using Internet Explorer. Microsoft has already done this by blocking competitive browsers from downloading upgrades from its servers. Microsoft should not be allowed to do this.

re Section III.J

Microsoft is allowed to avoid disclosing information for several security-related reasons. Withholding information about protocols and interfaces may slow down an attack, but it does not increase the actual security of a system. The vulnerability is still there. If Microsoft is allowed to define what is security-related, it will be another large loophole.

What Should be Done

For starters, all information about all APIs and all protocols must be made available to all interested parties.

This should be done well before Microsoft ships to OEMs or sells at retail any operating system, Middleware, or application that either provides or uses the API or protocol. Three months seems like a reasonable minimum time. Ideally, the Microsoft programmers should not have access to insider information about the operating system. There should be no secret calls or protocols.

Microsoft has to document the APIs and protocols anyway before they are used by its internal programmers.

The browser war is over. Microsoft won and I can think of nothing that will resurrect Netscape. Many of the issues that were brought up in the lawsuit are now moot. However, Microsoft is still engaged in anticompetitive practices that should be restrained. As I said before, a breakup would be the cleanest solution. Since this is unlikely, there are other restrictions that should be put in place.

Much of the software battle has shifted over to file formats. Many people use Windows because they have to exchange files with users of Word, Power Point, or other Microsoft programs. Since the formats are undocumented, non-Microsoft programs or file converters have to guess at the details. Microsoft enjoys a monopoly or near-monopoly position in most of the application categories in which it competes. Some of the file formats, like the WMF and EMF graphics

files, are operating system file formats. All Microsoft file formats should be disclosed.

A simple requirement that Microsoft disclose all interfaces, calls, protocols, and file formats would make unnecessary many of the definitions in the Competitive Impact Statement, eliminate loopholes, and make the settlement easier to understand.

Microsoft has, by its monopoly position in operating system software, the ability to put almost any software product out of business by bundling a similar Microsoft product for "free" with the operating system. The Microsoft product is not actually free. The computer user pays for it as part of the price of the operating system. Microsoft has put many products off the market. Some, like memory managers or disk cache programs, provided services that are rightly part of an operating system. Others, like the browser, seem more like an application program. There was considerable innovation in all these product categories until Microsoft achieved dominance and very little since then.

The Microsoft product that is included with the operating system has great competitive advantages. The non-Microsoft product has some cost versus no additional cost for the Microsoft product. Even if an OEM were to remove the Microsoft product from the installation, Microsoft is still paid for it. Being packaged in the default operating system installation means that the Microsoft product, in effect, sits on the shelf in front of the non-Microsoft product. Unless the Microsoft product performs very poorly, the market for the non-Microsoft product is very small. Microsoft is now including audio player and file compression software with its operating systems. The only way to keep Microsoft from driving all other similar products off the market is to require Microsoft to reduce the price of the operating system to the OEM if the OEM chooses to replace some Microsoft product that is bundled with the operating system. Similarly, there should be retail versions of the most popular stripped-down configurations. This will give consumers the option to not buy Microsoft products they do not want. Microsoft will still have a strong competitive position by virtue of name recognition.

MTC-00014414

From: Norris, John
To: Microsoft ATR
Date: 1/21/02 9:16pm
Subject: Microsoft Settlement

I use Macintosh computers, I like macs, and can make my own decisions, without the help of the ever wise, ever bungling federal government.

Anti-trust laws are discriminatory to a modern minority called the "businessman." Without whom the level of material wealth we enjoy today would be impossible. Anti-trust laws are so vague and ridiculous that they can not be adhered to. From day one, anyone entering into a business stand in vague violation of anti-trust laws. Why would one want to enter themselves into this situation? Because it is man's nature to produce, to use his/her mind, to invent, to create something better, and most importantly, to be free to do so.

Some of Microsoft's business practices are shifty, but I propose that these be handled case-by-case, by private parties who feel they have been wronged (time-capital wasted) against Microsoft. It is not the U.S. government to enforce what bureaucrats perceive as "unfair business practice."

There are other viable OS solutions out there. My favorite, BeOS. . . but I own two Macs and prefer them to windows. I would not like to be told that I must pay more for MacOS, if some politician decided Apple were in some violation of anti-trust.

If those Federal tax bucks are burning a hole in your pocket just come on out to Utah. . . Our road here in SLC are terrible. Everyone here would love you more for fixing our roads.

Best Regards,
John Norris

MTC-00014415

From: EVAANCH@aol.com@inetgw
To: Microsoft ATR
Date: 1/21/02 9:31pm
Subject: Microsoft Settlement

Don't you think that we have paid plenty to the lawyers and is time to grow up and do the right thing for this country that we all love it, yes?

Please, stop the litigation and settle the matter!

Love and wisdom to all.

MTC-00014416

From: Dumb Az
To: Microsoft ATR
Date: 1/21/02 9:42pm
Subject: Microsoft Settlement

I am, more or less, an average consumer. I have a personal computer, (obviously) and the following Microsoft products listed from memory: Windows XP, Flight Simulator 98, Age of Empires, Sidewinder joystick, and Streets & Trips 2001. I and others in my family have purchased these products of our own respective free-wills. Although the others aren't available to comment as I write this, I for one have been pleased with these products.

Nobody has ever forced me to either purchase or not purchase a single thing. Microsoft has been no exception. I have never seen any of the coercive force alleged by Microsoft's denouncers. In fact, it is because of this lack of coercion that I DO NOT subscribe to MSN. Instead, I subscribe to a locally based internet provider. Nor have I bought more recent versions of "Flight Simulator" as I don't see the changes as being significant enough to warrant the purchase. How could this be possible if Microsoft was forcing or manipulating people like me, as according to anti-trust proponents?

I find it insulting to hear Microsoft bashers as well as anti-capitalists characterize people like me as helpless victims who cannot choose what software to buy. This implies that we're mindless pawns, completely lacking of anything resembling free-will. I personally find this to be nothing less than a slap in the face.

The very idea that a company like Microsoft can be punished for being successful in the United States of America (of all places) threatens my own future. I am an

aspiring software developer myself, hoping to found my own privately owned company. Although I plan to focus on creating entertainment software only, I still see the fate of Microsoft in the anti-trust suits as being a precursor to my own fate.

Remember: it was not consumers or Microsoft's partners who started the anti-trust case, but Microsoft's competitors. If I were to become very successful in my future venture, what would happen to me if a competitor who wasn't doing as well decided to accuse me of anti-trust violations?

Microsoft competed vigorously in order to be the best. Yet, that is considered anti-competitive, implying that "competitive" means sacrificing one's own interests in order to allow competitors to win occasionally. If that's true, why does nobody apply the same logic to athletic competitions?

It is supposed to be the duty of the United States government to protect each person's rights to life, liberty, and property. To punish Microsoft simply for the sake of whiny competitors is a violation of property rights. It is also a shameful betrayal of the constitutionally enshrined right to the pursuit of happiness, for if someone is punished for attaining what they pursued, (in Bill Gate's case, a software corporation of legendary success) where will it end?

A self-made man like Bill Gates, (and hopefully me too someday) who became successful by offering preferable products and services, deserves whatever money people willingly give in exchange for said products and services. The uncoerced choice of each individual by their own free-will is the American dream, as opposed to edicts of sacrifice to those whose goods weren't chosen by said free-will.

Sincerely,
Mitchell A. Gyde

MTC-00014418

From: Jesse Max
To: Microsoft ATR
Date: 1/21/02 9:43pm
Subject: I think the judgement is completely unfair

Hi, My name is Jesse, I'm a 10 year old boy. I use both Linux and Windows (and not so much windows anymore).

I think it would be a good idea for you to take the money that Microsoft got by doing illegal things and use it to help Linux, which is Microsoft's best competition.

I also think Linux is just straight out better!

Thanks,
Jesse LaVercombe

MTC-00014419

From: SCKRUMNOW@aol.com@inetgw
To: Microsoft ATR
Date: 1/21/02 9:46pm
Subject: Microsoft settlement

CFC, Inc.
January 21, 2002
CFC, Inc.
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

As a concerned citizen and voting American, I write you regarding the Microsoft settlement. I cannot believe that this settlement is still being dragged through the mud. Doesn't the government have more important issues to focus on? I think it is time we let this well thought out agreement speak for itself and let the IT sector get back to business. Anti-trust isn't there to keep companies from having to compete with their competitors. It is suppose to protect consumers. The longer this is drawn out the more it hurts consumers.

The terms of this settlement are a step toward a more unified IT sector. The terms include changes in licensing, marketing, and even design. In an anti-trust settlement first, Microsoft has agreed to disclose various interfaces that are internal to Windows operating system products. All of these concessions are slated to be overseen by a committee that will make sure that Microsoft is following proper procedure. Not only are their strong statements in these terms, but also there are plenty of safeguards to help non-Microsoft companies along the way.

I support the settlement as it stands, and hope we soon put these terms into action and let the free enterprise system work.

Sincerely,
Shelley Krumnow
President

MTC-00014420

From: David Binns Jr.
To: Microsoft ATR
Date: 1/21/02 10:11pm
Subject: Microsoft Settlement

Please stop harassing Microsoft, they have only created wealth for everyone around the world, they should only be lauded.

When you punish them you diminish us all.

MTC-00014421

From: Ralph C. Whaley
To: Microsoft ATR
Date: 1/21/02 10:19pm
Subject: Microsoft Settlement

"The Bush administration would be smart to launch a review of the country's antitrust laws". The objective should be repeal not reform. The principle of America's founding is "Individual Rights", rights to life, liberty, property and the pursuit of happiness. Property rights include the right to set the terms of use and trade of the property a man creates.

Microsoft has created products of great value and set the terms of trade and use of those products to the benefit of millions who bought those products by free choice.

Microsoft has earned huge profits for its employees and stock holders by these free market trades.

Competing companies have failed to keep up and demanded that the government "rein in" Microsoft for their benefit.

Antitrust laws are designed to restrain the successful for the benefit of the envious. They are un-American, unjust and should be repealed! Jane P. Whaley

MTC-00014422

From: diane
To: Microsoft ATR
Date: 1/21/02 10:22pm

Subject: Microsoft Settlement

Since this offer from Microsoft was first published, I have been astonished that it was ever considered by the courts. Could it have been presented with a straight face?

To allow Microsoft to make reparations for its illegal acts by offering to hand it thousands of new customers at little cost simply amazes me, astonishes me.

Is this how illegal behaviour is punished or is it being rewarded?

The whole story is a Seinfeld routine, except, it's not funny.

Don Vetere
Toronto

MTC-00014423

From: markrwilliams2000

To: Microsoft ATR

Date: 1/21/02 10:23pm

Subject: Microsoft Settlement

The legal attack against Microsoft goes against the very concept of free markets and capitalism.

Let the market decide.
Mark Williams
Huntington Beach, CA

MTC-00014424

From: Rmilano@aol.com@inetgw

To: Microsoft ATR

Date: 1/21/02 10:32pm

Subject: Justice for Microsoft

Your Honor,

Microsoft is a company that consistently innovates and creates superb new products. There is a reason that they have millions of satisfied customers around the world: they provide outstanding and affordable products.

Justice requires that a company so creative and proficient be honored, not criticized or attacked. Please do justice to an enormously productive company.

At your leisure, please re-read Ayn Rand's seminal novel, *Atlas Shrugged*, for the moral and philosophical principles underlying the necessity of doing justice to the producers.

Respectfully,
Andrew Bernstein, Ph.D.
Dept. of Philosophy
Pace University

MTC-00014425

From: David Atkins

To: Microsoft ATR

Date: 1/21/02 10:43pm

Subject: Microsoft Settlement

Greetings,

First of all, let me say I am impressed with the depth and breadth of research you performed in compiling the Complaint document of 5/18/1998. I am a software engineer with 15 years experience, and fully understand the difficulty in describing computer terminology and functionality. Your descriptions were accurate, enlightening, and readable!

I must say I was extremely disappointed when the original final judgement, which included the breakup of Microsoft, was overturned. You seem to be very practical in working towards a resolution, knowing any other approach would result in protracted legal action. I wonder how Microsoft's behavior has compared to prior monopoly cases which resulted in company breakups, such as Standard Oil and AT&T?

However I have a concern with the proposed final judgement. I agree with the concept of the TC. You state the members have power to acquire and hire resources as necessary to verify compliance with the judgement. However, given the complexity and content of Microsoft software, is a 5 year compliance period long enough? Even relatively minor software projects with dedicated, experienced staffs, require months to complete. Perhaps 7 years would be more reasonable. The TC will probably require 6 months to a year to get their feet on the ground. Then, given the size and complexity of Microsoft's code, will need to begin hiring resources for assistance. The resources will then need time to get up to speed. In a nutshell, the TC will probably start to do "real" work about 18 months into the settlement.

This also assumes the Microsoft appointed member of the committee is a legitimately objective member of the team, and not just a Microsoft defender.

Regards,
David Atkins
9607 Briar Circle
Bloomington, MN 55437
952-831-1759
d a t k i n s 1 @ m n . r r . c o m

MTC-00014426

From: sueagib

To: Microsoft ATR

Date: 1/21/02 10:44pm

Subject: Microsoft Settlement

Microsoft should be applauded for their innovations throughout the years, not punished. They gave the public what was needed that other companies had not furnished; and therefore, they made the tech sector progress much faster and farther than it would have normally in the short period of time.

Sue Gibson
3353 Valley View Ave.
Roanoke, VA 24012

MTC-00014427

From: Scott A. Renshaw

To: Microsoft ATR

Date: 1/21/02 10:57pm

Subject: Microsoft Settlement

The only true monopoly is one created by or supported by the government. Let businesses thrive or fail on their own. Stay out of the way of successful businesses like Microsoft.

HANDS OFF!

Signed,
Scott A. Renshaw

MTC-00014428

From: reed@desertlinc.com@inetgw

To: Microsoft ATR

Date: 1/21/02 10:51pm

Subject: Microsoft Settlement

Renata B. Hesse
Antitrust Division,
U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530-0001

Dear Ms. Hesse

I believe the antitrust case against Microsoft should be settled by the United States refunding the money Microsoft has been forced to spend in its defense and by

paying to Microsoft such damages as have been caused by the interruption of its business.

I have been using personal computers for many years. Most people would consider me a computer expert and it is clear to me that Microsoft is not a monopoly. On my home computer I use both Redhat Linux and Microsoft Windows 98 operating systems. At work I use UNIX, Linux, and Windows. This letter was written using no Microsoft software at all.

That doesn't sound like a Microsoft monopoly to me. Personally I do not really care for the Microsoft OS—I much prefer Linux. I find the Windows interface unstable, condescending, and insecure. I use Microsoft Windows because it came free with my computer and allows me the flexibility to use some very good software programs that were designed by those who wrote them to run only under a Microsoft operating system. Software developers have the right to choose which OS(s) they write their software to run on. If they choose to program only for Windows, so be it. This is a personal business decision that no one has the right to interfere with. If I don't like it I am not forced to use their software—neither is anyone else.

Microsoft has a right to produce and sell any software they wish. They have the right to bundle this software with their operating system, sell it separately, or give it away. No one can claim the right to make Microsoft work to benefit its competitors. The United States Government should be defending Microsoft against such unjust claims against its property. Yet the government seems to view the men and women who own Microsoft, and the software they have created, as some kind of government property—to be handed out to whoever makes a claim.

The government has made the claim that Microsoft has used its alleged monopoly to hurt consumers. This claim could not be farther from the truth. The presence of Microsoft has caused a great deal of competition which has improved software and the software industry. For example, Linux companies were forced to make user-friendly versions with Windows-like graphic user interfaces to keep up with Microsoft. As a result of this competitive pressure consumers can now buy a complete Linux operating system, like Redhat 7.2, with web browsers and office software for less than \$60. How exactly has this hurt consumers?

This whole antitrust case makes me wonder who will be attacked after Microsoft. Will Redhat be broken up because they bundle web browsers and office software with their OS? Will all those who sell Linux be forced to stop giving out the source code along with their software? It seems to me that the government's role in economics should be to prevent anyone from initiating force or fraud. Then they should get out of the way and let the capitalism work.

Kindest regards,
Reed Kofoed
90 West McArthur Ave
Winnemucca Nevada 89445

MTC-00014429

From: Michael De Jong

To: Microsoft ATR

Date: 1/21/02 10:59pm

Subject: Microsoft's Settlement

To Whom it may concern

Note acronyms: OS—operating system, IE—Internet Explorer, MS—Microsoft
? As a computer user since 1980, I have witnessed Microsoft's monopolistic practices with horror. I have owned many computers since 1980, platforms including Commodore—with DOS, Atari St with Gem operating system and now Apple Macintosh—with Mac OS for the past 8 years.

? It is sad that a company like Microsoft has continued it's practices of bullying other companies into oblivion, some of course like Commodore and Atari did not have enough finances to compete and made crucial mistakes.

? Apple and Sun are two examples of companies who truly INNOVATE and yet they are kept at bay by Microsoft's practices. A company like Sun comes out with the JAVA language, a language that all platforms can communicate with, then Microsoft seeks a way to render it useless on other's platforms.

? Companies like Apple spend lots of money on R & D for it's innovations and Microsoft turn's the technology into it's own. Rectify Microsoft's practices

? Microsoft claiming that it's IE browser is integrated into it's own OS for ease is nonsense. To split them apart would be damaging is utter nonsense. Microsoft has the power to make it's browser work on it's own. Browsers on the Mac OS platform are their own entity, if you want to delete the browser, just drag the browser (Netscape or IE) to the trash and that is that. They do not wreck the MAC OS by doing so. Microsoft is very capable of making their OS work side by side with a browser. What is next, incorporating their own Picture, Video and Audio editing software into their OS and forcing companies like Adobe products to become impossible of running on Microsoft Windows. From what I've seen, it looks like Windows XP OS is already incorporating some of these programs/features.

Programs should be their own source running with the OS, not intertwined. This means if they are eliminated the OS will still work great. This allows companies like Apple, Real, Netscape to design applications for Windows OS and make them work flawlessly. These competing companies should be able to have their product on every shipped Windows computer with their icon on the desktop or in the start menu alongside Microsoft's apps, so as the customer has choice. The same should be done on other computing platforms like the Mac OS, Linux, Sun, etc.

? Microsoft's source code should be exposed to everyone who wants to see it. This would allow more exciting software development to emerge and compatibility between other platforms could increase.

? Microsoft software like MS Office should continue to be made for competing platforms. Also it's files should be made compatible with competing products. Example—when creating a MS word document, you should be able to save the document to a competitor's

product like Appleworks, Corel Wordperfect, etc. This can easily be done on Microsoft's part. Apple's Word Processor—Appleworks allows one to open MS Word, save as MS word, so why cannot MS Word be designed to open an Appleworks document?

? Microsoft's 1 Billion dollar settlement for schools should be in cash, not Microsoft software. Let the schools decide where to spend the money. Allowing Microsoft to donate their own software and hardware will only increase their monopolistic power and make our children less educated. (meaning children will only be exposed to one type of computer OS, children are the best at learning two or more OS's. It is like learning more than one language, you can form a more honest opinion about one's language when you know the differences and benefit in the real work force which could be using tools like Mac OS or Windows.

I love the computing industry, there are great things about Apple, Sun and even Windows that make my computing life enjoyable. But Microsoft does more damage to this industry by forcing others to use their inferior products. Our world will become even more stagnant if Microsoft is not dealt with very soon. The world would be a pretty boring place if the only car we could drive were Ford Pintos or if the only highway we could take was a gravel road that took us 4000 miles of course towards our true destination. . . . advancement, progress and a better way of life.

Thank You
Michael De Jong
Calgary, AB

MTC-00014430

From: Ralph Mullinger

To: Microsoft ATR

Date: 1/21/02 11:06pm

Subject: Microsoft Settlement

Dear DOJ, I support a speedy and non-punitive end to the Microsoft litigation, and if the settlement facilitates that, I support it. I definitely do NOT want to see Microsoft broken up, nor heavy penalties exacted from the firm. I do not hold the position that they did "nothing wrong". The company was a hardball competitor and employed some very unsavory tactics. The settlement should make it clear exactly what sort of behavior they are to refrain from in the future. But I do not believe that they knowingly broke the law, and don't believe they should be severely punished. I also believe the Government has a long history of confusing "protecting competition" with protecting competitors. Slap Microsoft's wrist, clearly spell out what they are not to do, and be done with it. If possible, stop the states from pursuing the matter further as well. Thank You! Ralph Mullinger

MTC-00014431

From: freedivedug@netscape.net@inetgw

To: Microsoft ATR

Date: 1/21/02 11:15pm

Subject: Microsoft Settlement

I am opposed to the proposed settlement.

It doesn't stop the Monopolistic behavior. It doesn't punish Microsoft for putting Netscape and others "out of business" by giving away a copy of their product.

They have continued the practice of adding new products to their Operating System so as to eliminate competition.

This ongoing style of business is a monopoly and stifles competition.

I urge you to follow the original Judge's recommendations and break Microsoft in to at least two parts.

They are thumbing their noses at the government and the people of this country. Their conduct leads to squelching competition and is bad for all the rest of us.

Sincerely,

D. McDonald

e-mail address: freedivedug@netscape.net

MTC-00014432

From: Derek Kent

To: Microsoft ATR

Date: 1/21/02 11:19pm

Subject: Microsoft Settlement

This is a start, but has a long way to go, I strongly urge you to pursue stronger remedies that will have a real impact at restoring competition to the industry.

Example, disclosing some APIs to ISVs, IHVs, IAPs, ICPs, and OEMs is a start, but all APIs should be released into the public domain, although Microsoft should be allowed to maintain some rights to them. Sections F and G are a good beginning.

A number of other additional steps need to be made that I will not go into here, although I urge you to look into pursuing (I'm sure you've received numerous suggestions).

Dak

MTC-00014433

From: Bob Nystrom

To: Microsoft ATR

Date: 1/21/02 11:24pm

Subject: Re: U.S. v. Microsoft: Settlement Comments

I am 50 and have been in the electronics business since I was 15. I grew up with computers and have watched the rise of Bill Gates & Co. I have several conclusions on the anti-trust case:

1. There is no one- repeat no one- in this business who doubts for one minute that Microsoft is a monopoly. Everyone is looking over their shoulder to see if they will be the next casualty. Microsoft is not where they are because of good products. The products have been forced upon the consumer by leverage of their operating system monopoly. This monopoly- through licensing and other means- has NOT allowed the consumer to evaluate alternative products. I could not buy a PC without Windows. Dell and the others COULD NOT sell me one. In my informal polls, the average consumer does not understand that Windows 95, 98, 2000, XP, etc even come from the same company. They do not realize that a PC box from Dell, Gateway, IBM, etc are all the same. They think of it as Ford, GM, or Honda- which, of course, it isn't. There is no choice.

2. I would venture that you- the judges, clerks, etc are close to my generation. No where is the computer gap more evident. I can't believe you have even a clue as to the extent of Gates's reach and the significance of complete control of the operating system. This monopoly goes way, way beyond steel or the Bells.

3. The proposed settlement is a joke. It is known in the art that Microsoft is a monopoly. They have been legally declared a monopoly. And what do you do? This is not even a slap on the wrist. And as with every other involvement with Gates, he is telling YOU what YOU are going to do. The three person oversight is completely ludicrous and unworkable.

4. In the trenches, the conclusion is that this is a buyoff with Bush. This is so blatant there can be no other explanation. As sad as Sept 11 was, it provided an excuse for the administration to back off of Microsoft. Software types that I run into just write this off as a complete sell out by the Justice Department. Your department really is the laughing stock of the software community. You can't be this clueless, can you? How does this settlement help me, the consumer? How does it help the innovative companies that have been steamrolled by Microsoft? How? How?

5. I am sure the boogeyman here is we don't want to hurt the economy by upsetting Microsoft. I would posit that 39 billionaires, 900 multi-millionaires, and 100 just plain millionaires would stimulate the economy far more than one "forty billionaire" who will stop at nothing to own it all. Microsoft does not partner- Period.

6. As XP becomes entrenched, there will be control of so many systems and points of distribution that it will make past actions look like child's play. It is a Trojan horse. Microsoft is pulling out all stops on this one. They are taking no prisoners. You are way too little and way too late.

7. This is the last chance to stop Microsoft. This settlement is a disgrace to your office and to this country.

Sincerely,
Robert Nystrom
16 Rhonda Rheault Dr
Oxford, MA 01540

MTC-00014434

From: Jared T.
To: Microsoft ATR
Date: 1/21/02 11:24pm
Subject: Microsoft Settlement

The purported Microsoft settlement is a slap in the face to antitrust laws and the American public. Here is my opinion on what needs to be done to Microsoft:

1. Stiff fines and monetary penalties.
2. Their ten most popular software titles MUST be developed for the Mac OS X platform (this is excluding the applications that currently exist on the Macintosh such as Office, Media Player, MSN Messenger, etc.). They will be required to continue the development of these software titles for the next ten years.

3. The source code for Internet Explorer must be made public so that developers can take advantage of "hooks" in the code that only Microsoft knew about previously.

I feel that the ideas outlined above serve as fair and just punishment to the Microsoft monopoly. The fines and financial penalties will serve as a remedy for the overpriced software they have pushed upon consumers over the last seven years. The requirement of developing more applications for the Macintosh will help spur more competition

and innovation in the computer industry. And, finally, opening the source code to Internet Explorer will give everyone the tools to take advantage of the "hooks" in the software code. More powerful and secure web applications will result.

Jared Traum
Orlando, FL

MTC-00014435

From: Jamus
To: Microsoft ATR
Date: 1/21/02 11:25pm
Subject: Microsoft Settlement

Microsoft should not be given a "reward" by having to pay out \$1 billion in cash and products. This is not a punishment; it is a nail put in the coffin of any possible competition that Microsoft might have.

The company should be forced to provide a FAIR playing field for any settlement that is proposed. "Giving" the schools all of those Microsoft products basically guarantees those schools (including the students and faculty) a future reliance on Microsoft. Please do not let that happen.

Microsoft is an overly competitive company that twists the rules of free enterprise however it sees fit with NO regard to consumer needs and RIGHTS.

It does not "innovate"; it SUFFOCATES the industry by force feeding it's own standards. That is not good for consumers, government, or the tech industry.

Thank you,
Jason Musselwhite
822 Pine Circle
Starkville, MS 39759

MTC-00014436

From: Pam Takada
To: Microsoft ATR
Date: 1/21/02 11:26pm
Subject: Microsoft Settlement

Dear Sir/Madam,
Subject: Microsoft should be split into 2 companies.

The previously proposed settlement was a complete a joke. This "settlement" only further served to increase its monopoly position.

Microsoft has and continues to act as a predatory monopoly. As such, the company deserves to be split into 2 companies: one company which develops operating systems, and the other company which develops applications.

Microsoft stifles competition and treats its competitors with heavy handed bullying tactics.

I am not connected in any way with Microsoft or any of its competitors.

Thank you,
Kevin Takada
916 San Ramon Ave.
Huntsville, AL 35802

MTC-00014437

From: Alex Silverman
To: Microsoft ATR
Date: 1/21/02 11:30pm
Subject: Microsoft Settlement

To Whom It May Concern:

As an individual, I have benefited gloriously from the ingenuity, production, and thought that Microsoft has utilized over the years. It utterly baffles me why anyone

would want to punish such life-promoting virtues.

I ask you: What exactly has Microsoft done wrong?

—Bill Gates earned a living by producing products that he chose to trade with others. (Inalienable right to life) Is this wrong?
—No one was forced to deal with Microsoft. Individual people willingly bought Microsoft products, trading goods for goods voluntarily—myself included. (Inalienable right to liberty) Is this wrong?
—Their products were and are so effective, that everyone chose Microsoft over other companies. (Inalienable right to the pursuit of happiness) Is this wrong?

Is this what we are to punish Microsoft for, for its earned success and dissemination of the products of efficacy? Are we to punish Microsoft because it is "too good", i.e., because it promotes life, liberty and happiness "too much"?

It is by this standard (i.e., our constitution) that I pronounce Microsoft as profoundly moral, and deserving of praise—not punishment, fines, and expropriation. Bill Gates and Microsoft have a right to the goods that they produce by their own effort, i.e., they have a right their own property. Expropriating them—and for their success no less—is too scary for words. I ask you, in the name of individual rights, and everything that this country stands for: do not punish the successful because they are successful. Let Microsoft—as well as every other business and individual in our great country—be free to pursue their life, liberty, and happiness.

Patriotically,
Alex Silverman
Wakefield, Massachusetts
CC:activism@moraldefense.com@inetgw

MTC-00014438

From: Heiselfluflu@cs.com@inetgw
To: Microsoft ATR
Date: 1/21/02 11:33pm
Subject: Microsoft Settlement

I think punsihing microsoft for it's success is not only bad but it is also evil. Microsoft has gotten where it has because of smart business practices.

It wants its product in all hardware is that evil? you say it is. I don't think so they don't force one company to use it's product. When I write force I don't mean pressure I mean with guns. That's what the U.S government(all governments) does when it doesn't like what a company does. You claim to help the consumer but you are frauds. If people say they that they have the right to a product without microsoft products they're wrong. They have a right to a trade but they don't have a right to force a company to make something the way they want it. If they don't want micfosoft on there they'd have another operating system with less support(no software would work on it) or the manufacturer of the PC will have to make it's own. Any body can download another operating system or another browser too. That's including netscape.

The people who say otherwise just want to see a successfull company paralyzed. They hate main stream business and microsoft is the most main stream. I urge the justice

department to not punish successful business. It's a lie to say your punishing bad business practices but it's not that at all. All governments support one business or more who stays a monopoly by the force of guns like the U.S postal service. The U.S government is very hypocritical. People clamor for consumer rights but what about producer rights. I see microsoft and other successful companies to be like parants.

They support us and feed us yet like children we don't appreciate that and what's worse we put guns to their heads and make them do what we want. Can the reader do that to their parants? I think not. So what is microsoft it big right now. Can you honestly say another company want make a better more main stream operating system that anybody could use? The justice department has not right what so ever to break up a monopoly. If it's in the name of the people to break up companies then people want must demand sacrifice.

Well if they want to sacrifice companies for the public damn the justice department and damn the public.

MTC-00014439

From: Louis B. Moore
To: Microsoft ATR
Date: 1/21/02 11:36pm
Subject: Microsoft Settlement
19575 East 128th Ave
Commerce City, CO 80022
22 January 2002
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Via Electronic Mail and USPS.

To whom it may concern,

We are writing with regard to the proposed settlement of the Civil Action No. 98-1232 The United States of America v. Microsoft Corporation which was published in the Federal Register on 28 November 2001 in accord with the provisions of the Tunney Act and pursuant to the Court's order of 08 November 2001.

In considering the proposed remedy in the above referenced case we take as our starting point the summary in the Department of Justice COMPETITIVE IMPACT STATEMENT: The Court of Appeals upheld the conclusion that Microsoft had engaged in a variety of exclusionary acts designed to protect its operating system monopoly from the threat posed by a type of platform software known as "middleware," in violation of Section 2 of the Sherman Act. Specifically, the Court determined that, in response to the middleware threat, Microsoft:

(1) undertook a variety of restrictions on personal computer Original Equipment Manufacturers ("OEMs"); (2) integrated its Web browser into Windows in a non-removable way while excluding rivals; (3) engaged in restrictive and exclusionary dealings with Internet Access Providers, Independent Software Vendors and Apple Computer; and (4) attempted to mislead and threaten software developers in order to contain and subvert Java middleware technologies that threatened Microsoft's operating system monopoly.

It is probable in this case that some form of structural remedy would have been the most effective in curbing the monopolistic abuses while avoiding the expected difficulties involved with governmental regulation. Microsoft has worked itself to the level of a utility not unlike the AT&T of the late 1970s. An economic power of this scale ultimately has to be regulated or structurally altered in order to prevent continuing harm of the types found by the District and Appeals Courts. It is a surprise, therefore, that the DoJ chose to remove the structural remedy from the negotiating table so early in the process.

We have examined the proposed settlement in an attempt to judge its effectiveness, both in redressing the harm the Defendant has caused and in preventing further harm by action of the Defendant. We have likewise examined the provisions proposed by the nine states (California, Connecticut, Florida, Iowa, Kansas, Massachusetts, Minnesota, West Virginia and Utah) in their alternative settlement. If the process requires choice of one of these two proposed settlements, then we respectfully suggest that the nine states' proposal be the one selected, as it appears to offer a better chance of correcting the harms found to have been caused by Microsoft's Sherman Act violation by the District Court and unanimously affirmed by the Appeals Court. Detailed information concerning this preference will doubtless be submitted by others, so we will describe only two examples to illustrate the reasons for preferring either the nine-state alternative or structural remedies in this case.

(1) Section VI. U.

The District and Appeals court found that Microsoft had "integrated its Web browser into Windows in a non-removable way while excluding rivals". The proposed settlement contains various rules concerning "Middleware" and some definitions:

Section VI. J "Microsoft Middleware" means software code that 1. Microsoft distributes separately from a Windows Operating System Product to update that Windows Operating System Product;

Section VI. U. . . . The software code that comprises a Windows Operating System Product shall be determined by Microsoft in its sole discretion.

This would appear to introduce a large degree of ambiguity. For example:

1. The definitions ultimately lead to the Defendant's defining what is and what is not the "Windows Operating System Product".

2. As long as the Defendant defines what constitutes the "Windows Operating System Product," ISVs will never be sure if they are competing with Windows or with a Middleware product.

3. Consumers will never know the true cost of the Microsoft products they are purchasing, as long as the price is hidden in the cost of the system as a whole and they are uncertain as to what is or is not part of the "Windows Operating System Product".

Under the nine-states proposal Microsoft would offer an unbundled version of Windows, as well as the usual product. This would help to define what constitutes the Operating System and what constitutes a bundled or "integrated" product.

(2) Section III.J.2

The public is best served when communications protocols and APIs adhere to common, publicly available, and documented standards such as the Internet Engineering Task Force Requests For Comment. Considerable effort has been made by researchers, hobbyists and 501(c)3 not-for-profits towards such public interoperable standards.

J. No provision of this Final Judgment shall: . . .

2. Prevent Microsoft from conditioning any license of any API, Documentation or Communications Protocol related to anti-piracy systems, anti-virus technologies, license enforcement mechanisms, authentication/authorization security, or third party intellectual property protection mechanisms of any Microsoft product to any person or entity on the requirement that the licensee: (a) has no history of software counterfeiting or piracy or willful violation of intellectual property rights, (b) has a reasonable business need for the API, Documentation or Communications Protocol for a planned or shipping product, (c) meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business, (d) agrees to submit, at its own expense, any computer program using such APIs, Documentation or Communication Protocols to third-party verification, approved by

Microsoft, to test for and ensure verification and compliance with Microsoft specifications for use of the API or interface, which specifications shall be related to proper operation and integrity of the systems and mechanisms identified in this paragraph.

Among the problems that stand out in this section:

1. The defendant will have a conflict of interest in that it will be certifying the authenticity and viability of entities attempting to compete with the defendant.

2. The provision sets up several barriers to many of the 501(c)3s, academicians, researchers and hobbyists that helped build, and continue to help maintain, the Internet in the first place.

A far better approach would be for the defendant to adhere to published standards from appropriate independent bodies than for the defendant to pick and choose who may compete with it.

In conclusion, we do not see how the remedy proposed by the DoJ and Microsoft will address the the harms found by the District Court and affirmed by the Appeals Court.

Respectfully submitted,

/Signed/

Johanna S. Billmyer

/Signed/

Louis B. Moore

CC:Louis Moore,J Billmyer

MTC-00014440

From: MARIAN 7 CHARLIE

To: Microsoft ATR

Date: 1/22/02 12:03am

Subject: Microsoft Settlement

Original Message

From: "Microsoft's Freedom To Innovate Network" <fin@MobilizationOffice.com>

To: <mcwalker@1starnet.com>
 Sent: Monday, January 21, 2002 12:26 PM
 Subject: Attorney General John Ashcroft
 Letter

Attached is the letter we have drafted for you based on your comments. Please review it and make changes to anything that does not represent what you think. If you received this letter by fax, you can photocopy it onto your business letterhead; if the letter was emailed, just print it out on your letterhead. Then sign and fax it to the Attorney General. We believe that it is essential to let our Attorney General know how important this issue is to their constituents. The public comment period for this issue ends on January 28th. Please send in your letter as soon as is convenient.

When you send out the letter, please do one of the following:

Fax a signed copy of your letter to us at 1-800-641-2255;

Email us at fin@mobilizationoffice.com to confirm that you took action.

If you have any questions, please give us a call at 1-800-965-4376. Thank you for your help in this matter.

The Attorney General's fax and email are noted below.

Fax: 1-202-307-1454 or 1-202-616-9937
 Email: microsoft.atr@usdoj.gov

In the Subject line of the e-mail, type Microsoft Settlement.

For more information, please visit these websites: www.microsoft.com/freedomtoinnovate/ www.usdoj.gov/atr/cases/ms-settle.htm

MTC-00014441

From: MARIAN 7 CHARLIE

To: Microsoft ATR

Date: 1/22/02 12:06am

Subject: Microsoft Settlement

Walker G. P. LLC

1841 Fairfax Paris, Texas 75460

Fax 903-784-6648 Ph. 903-784-4919

January, 21, 2002

Attorney General John Ashcroft

US Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530-0001

Dear Mr. Ashcroft:

I write to you today to express my support of the Microsoft settlement. The Department of Justice has now spent three years toiling over this issue without any resolution. Finally last November a tentative settlement agreement was reached. This settlement should be enacted with haste. It represents a fair mediation between all parties involved.

The terms of the settlement are very fair. Microsoft now agrees to license its Windows software at the same rate to the largest manufacturers of PCs. This makes the marketplace much more competitive. Also Microsoft will agree not to retaliate against companies that use, sell, or promote non-Microsoft products. Additionally, Microsoft has agreed to share information with its competitors that will allow them to more easily place their own programs on the Windows operating system.

Obviously Microsoft has been generous in resolving this issue. The Justice Department must enact this settlement.

Sincerely,

C. L. Walker
 Sincerely,

MTC-00014442

From: Greg Barnes

To: Microsoft ATR

Date: 1/22/02 12:05am

Subject: Microsoft Settlement

January 21, 2002

To whom it may concern,

I am a software engineer in Seattle, Washington. I earned my Bachelor's Degree in Computer Science in 1987 from the University of California at Berkeley, and my Ph.D. in Computer Science and Engineering in 1992 from the University of Washington.

Upon reading the Proposed Final Judgment and the Competitive Impact Statement in the United States vs. Microsoft, it appears to me that the proposed final judgment is too lenient, too lax, and too full of loopholes.

The proposed final judgment is too lenient for Microsoft. They have been flaunting the law since they entered into a final judgment in 1995. The District Court found, and the Appeals Court agreed, that they have been illegally maintaining their monopoly for years, and in the process have essentially killed Netscape Corporation and threatened major computer companies such as Intel and Apple. It is widely believed that no venture capital money is available for a product that will or might compete with Microsoft, as Microsoft will crush any such competitor before it becomes popular, whether by threats, or by folding software similar to the product into its operating system and distributing it 'free' to all who use their monopoly operating system.

Despite all this, the proposed final judgment does little to punish Microsoft for this conduct, or to insure that it cannot continue using the same tactics in the future. In particular, definition VI.U. says "The software code that comprises a Windows Operating System Product shall be determined by Microsoft in its sole discretion," thus making it impossible in the future to sustain a claim against Microsoft that it maintained its monopoly by illegally tying another product to its operating system.

I would like to see stricter conduct remedies, if not a structural remedy. I also share Ralph Nader and James Love's surprise (see <http://www.cptech.org/at/ms/rnj12kollarkotellynov501.html>) that there is no monetary penalty attached, if only to prevent Microsoft from using its ill-gotten gains to buy or otherwise fund its way out of future competition.

The proposed final judgment is also much too lax. The judgment gives too much discretion to Microsoft, and its enforcement regime seems designed to allow Microsoft to delay its way out of any violations. The Technical Committee seems too powerless; it cannot impose any actual penalties, only report on violations, and the reports cannot even be made available to the public. Much of the apparent recent improvement in Microsoft's behavior appears to be due to publicity about its practices. It follows that the enforcement process should be as open as possible, not closed as the agreement stipulates.

Most disturbing, though, is the number of instances in the proposed final judgment

where Microsoft is given the power to decide things on its own. The company has been found guilty of anti-trust violations, and has acted in bad faith towards the court both with regards to the earlier final judgment, and numerous times during the recent trial actions. Yet in many clauses, the judgment allows the company discretion to make exceptions. By past behavior, we can only expect the company to abuse this discretion, at the very least to delay any action it does not like, at worst to subvert the process.

For example, the 'notwithstanding' clauses after III.H.3 allow Microsoft discretion to void the previous section (and using the vague and undefined term 'reasonably prompt manner' to allow Microsoft to stall against any objections). Particularly troublesome is III.J.2, a clause which seems to be designed to allow Microsoft to ignore legitimate requests from open source software developers (because they typically do not have a business behind them, and therefore no 'authentic' or 'viable' business). This is particularly troublesome because Microsoft has recently made a number of statements declaring open source software for example, 'a cancer', 'unamerican', and the number one threat to their business.

I would suggest that Nader and Love's suggestions about the term of the judgment and its enforcement mechanism be used. The current version merely seems to introduce a level of bureaucracy between Microsoft and actual enforcement power. In addition, instead of giving Microsoft latitude to make exceptions as in III.H.3 or III.J.2, Microsoft should be allowed to *propose* exceptions to the Technical Committee, which would make the final decision, with the stipulation that when in doubt, the committee should err on the side of openness to outsiders.

Finally, open source software should be recognized as the public benefit that it is, and open source developers and projects be accorded the same privileges as standard businesses, if not more.

Finally, as an expert in the field, I would like to point out how riddled with loopholes the judgment is. The drafters seem myopically focused on the current characteristics of Middleware software and products, and unaware how simple it would be to circumvent the spirit of the judgment using its own text.

As a simple example, consider the various definitions of Middleware and Middleware Products. They all implicitly consider software that lies directly between the user and the operating system. It would be simple matter for Microsoft to break the agreement by devising another layer of middleware, between the current middleware and the operating system. For example, according to III.D., Microsoft must eventually release 'the APIs and related Documentation that are used by Microsoft Middleware to interoperate with a Windows Operating System Product'. With an extra layer added, currently existing middleware will no longer operate with the Operating System Product, and thus its APIs need not be released. I'm dubious the new layer, which does interoperate with the operating system, would be defined as middleware, either, as it would not seem to fit the judgment's

definitions, which describe middleware in terms of current products. Even if the enforcers of the judgment would not accept this transparent ploy, it seems likely to me that Microsoft could, as in the past, use their considerable political, legal and monetary power to delay a judgment against them. Given the short term of the judgment, this and similar ploys should be prohibited outright.

Let me give some more examples of how Microsoft could use the narrow language of the judgment to circumvent it. Section III.E. could be circumvented in a way similar to III.D, by imposing another layer between the server operating system and the Windows Operating System (say, another server operating system). The communications between the Windows Operating System and the first server operating system would have to be documented, but not the communications between the first server and the second. If this does not seem sufficiently devious, consider a protocol where the Windows Operating System sends 10 messages to (possibly different) servers, and the servers communicate between themselves to act on 1 of the 10 and ignore the other 9. Anyone who wishes to compete by supplying a substitute for the servers would be hard-pressed to figure out what was actually going on without information about the protocol between the servers, but this protocol need not be disclosed by Microsoft.

Note also that Microsoft's current direction (.NET) is toward Middleware accessing servers directly; it would seem by the judgment that Microsoft is free to abuse its monopoly as much as it wishes in this area, as the judgment does not place any conditions on middleware that does not talk to the desktop operating system.

Another avenue of circumvention is software such as Microsoft Office; clearly Office would not be defined as middleware or part of the operating system. However, there is nothing to stop Microsoft from grafting some communication code into future versions of Office to exploit these definitions. For example, suppose Microsoft includes code in its web browser that, on startup, communicates with a running Office program that it has started up, and the Office program in turn passes an 'OK to browse' message on to the Operating System. Suppose also that the Operating System code is rewritten so that, if a browser attempts to get a web page and the Operating System has not gotten such an 'OK', it terminates the browser program. None of the browser-Office or Office-operating system communication needs to be disclosed to outside parties, as Office is neither middleware nor part of the operating system. But the net effect would be that any non-Microsoft browser would be mysteriously broken.

Another problem arises with III.J.1.a, which allows Microsoft to refuse to disclose 'portions of APIs or Documentation or portions or layers of Communications Protocols the disclosure of which would compromise the security of a particular installation or group of installations of anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems.' This section can be

abused to prevent disclosure of information about *any* protocol, by including in the protocol information which helps to disclose sensitive security information. Suppose, for example, that Microsoft devises two different versions of a Communications Protocol, and deems that it will use one version if the last bit of a site's secret cryptographic key is '0', and the other if the last digit is '1'. This means that if you know which protocol is being used, you know information that can help compromise this key (if you think one digit isn't enough information, suppose they have 1024 different versions, which will tell you 10 digits of the key, or 2–20 versions, which will tell you 20 digits, or whatever you like—different versions could be as simple as including a different version number in the protocol's messages). The point is that, by III.J.1.a, Microsoft would be justified in refusing to document the Communication Protocol in question, as it would certainly compromise the security of the key used. And, again, this can be used to prevent disclosure of *any* protocol, whether related to security or not.

While these scenarios may seem far-fetched, we must consider past actions of the company. For example, when faced with an order to distribute a version of Windows "95 without Internet Explorer, Microsoft distributed a deliberately broken version. It is certainly not difficult to believe that the same company would resort to schemes such as these if it felt it would protect its illegally-maintained Windows monopoly.

I would urge the court to take action to prevent such loopholes. For example, it could hire a team of experts to look for any possible way the spirit of the agreement can be circumvented. The definitions, particularly those relating to middleware and operating system should be broadened. Finally, a list of underlying principles should be included with the judgment so that if any loopholes still remain, the Technical Committee and the Court will be able to disallow such evasions.

Sincerely,
Greg Barnes
gsbarnes@drizzle.com
4756 U Village P1 NE #239
Seattle, WA 98105

MTC-00014443

From: Les Weber
To: Microsoft ATR
Date: 1/22/02 12:15am
Subject: settlement of Microsoft case needs to be toughened

I, as a software professional believe that the settlement terms against Microsoft definitely need to be made tougher. Microsoft definitely needs to include a non-Microsoft modified version of the Java run-time environment on new OS's. Other settlement terms brought up by the state's law suit also need to be implemented. —

Adventure is not outside a man; it is within. David Grayson

Les P. Weber, B.S., B.S.E.E. Weber Engineering Associates, Inc. "Software & System Crafters"

Voice—Office—507-625-5021

MTC-00014444

From: Chris Mitchell

To: Microsoft ATR
Date: 1/22/02 12:16am
Subject: Microsoft Settlement
To Whom it May Concern,

I am very pleased that the Department of Justice has finally found that Microsoft is the "800 pound gorilla" that bullies the pc industry. I am not certain of the monetary loss that will be incurred by Microsoft in this ruling but as an Apple Macintosh user that uses Microsoft software daily, I can verify that the actions that Microsoft has taken against Apple, Netscape, Sun, and other OEMs have been ignored far too long. I was concerned that Microsoft's first proposal by Microsoft (of providing public schools with Windows / Intel-based pcs and Microsoft software) would be a direct infringement on non-Microsoft manufacturers and software developers. It pleases me to know that this proposal was declined.

Microsoft is solely responsible for slow development of software and hardware by third party vendors because of Microsoft's monopoly in the operating system market and anti-competitive practices. The entire personal computer industry as well as the end-user suffer as a result of Microsoft's actions. Microsoft should be punished accordingly.

Microsoft should pay Netscape and other such vendors and manufacturers a substantial amount for their anti-competitive practices against them.

Chris Mitchell

MTC-00014445

From: Judy Hageman
To: Microsoft ATR
Date: 1/22/02 12:17am
Subject: Microsoft anti-trust suit
Attention: Renata Hesse
Judge Kolar Kottely
U.S. Department of Justice, Antitrust Division
601 D Street, NW, Suite 1200
Washington, DC 20530

Dear Judge Kolar Kottely:

I am writing to convey my opinion that the settlement developed by the U.S. Department of Justice to end the anti-trust suit against Microsoft should be approved.

I feel the case has been going on far too long and has consumed enough of our state and federal tax dollars. I am a Kansas taxpayer that is extremely displeased that our state has not joined the DOJ in working to settle the case. It upsets me that my state tax dollars are continuing to be spent on this suit, even with a worthy settlement proposal on the table.

As a federal taxpayer, I wish we had the millions of dollars spent on the case, back in our hands.

But at least the Bush Administration is smart enough to cut bait on the fishing expedition Janet Reno started.

I urge you to look closely at the merits of the settlement, and then at the continued costs to all parties for continuing the suit. I am confident on both counts, you will decide that settlement is the best option.

Sincerely,
Judy Hageman
McPherson, KS
jhageman@swbell.net

MTC-00014446

From: John Prezko
 To: Microsoft ATR
 Date: 1/22/02 12:22am
 Subject: Microsoft Settlement

What is wrong with the settlement-settle it and be on with it! I don't think any public consumers have been hurt anyway. It looks like a case of "crybaby" competitors who got the government to do something they could not do themselves and now a bunch of greedy holdout states who want to squeeze Microsoft for as much as they can. Settle this unjustified farce now!

John Prezko-Wheeling, WV

MTC-00014447

From: HorizonsBeyond3@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/22/02 12:29am
 Subject: Microsoft Settlement

To whom it may concern:

This letter is written in defense of Microsoft in its current anti-trust case. Below I will briefly outline the reasons for my support, and hopefully provide a sound basis for why anti-trust laws as such should be done away with.

I use Microsoft in nearly every application of computing. I use Microsoft Windows(r) XP(tm) for my operating system. I prefer Microsoft Internet Explorer(tm) to other web browsers. I connect to the Internet using MSN(r), and I develop applications using Microsoft's Visual Studio(tm) software. All of these programs offer enormous benefits over their competitors because they are made to work together, besides the fact that they are developed by some of the brightest minds in the software and hardware industry.

Where would the home office be without Microsoft Office(tm)? Microsoft has led the way in productivity software, including more and more innovative features into every subsequent release. What other operating system allows as much universality as XP? I couldn't tell you.

Microsoft is not "exploiting defenseless victims." They are simply offering software that can be a tremendous benefit to any individual who chooses to buy it. "Bundling" products such as IE doesn't cause "serious problem concerning competition," unless you consider a companies benevolent policy of giving away some of its best software for free is a "problem." I actually wish more Microsoft software would be bundled with Windows, so that the software could be more tightly integrated to the core functioning of the operating system, allowing more features like drag-and-drop CD burning to come into existence. If I become dissatisfied with Microsoft's products, I will look to the market for more choices, which there will always be as long as capital is free to flow. And if an extremely large company starts trying to produce products of a lower quality, capital, not government intervention, is what will fix the problem best.

By the nature of this case, I am quite surprised actually at the incessant call to "protect the consumers," when, this case was not brought on by consumers at all, but by unsuccessful competitors envious of Microsoft's success. Pandering to envy is not

the purpose of a court of law, especially not in a free country. Any judgement handed down should call not Microsoft, but the instigators of the trials, to pay fines. It is Sun, Apple, and Netscape who should pay for the cost of the legal proceedings and it is they who should pay retribution to Microsoft for the incalculable damage done to both its reputation and its stock.

But that is not the important factor. Hours could be spent discussing the objective value of Microsoft's software, the alleged harm bundling has done to competition, or even an important issue like the very Constitutionality of anti-trust laws. But what is important is: Does Microsoft have the right to control its own property? If in this land there is still an inalienable right to "life, liberty, and the pursuit of happiness," then how can anyone—especially a Justice charged with protecting those rights—attempt to call the law down on an organization that promotes exactly that? Man must still live by his mind, and therefore must have right to the product of his mind in order to survive. Man is still a being of spectacular power, but that power lies within his mind. And in sight of this call by the highest legal authority of these United States of America, the nation based on the principle of individual rights, I must quote a most appropriate quote from Thomas Jefferson, "I swear. . . eternal hostility to every form of tyranny over the minds of man." In respect of the very person of whom I just quoted, and in honor of the principles in which he helped erect in this country to allow men, such as those who run and own Microsoft, to pursue their own happiness and achieve their own lives, I ask you to throw down any consideration of fining Microsoft in any way for the name of this mockery of the very principle of justice that you call anti-trust.

Sincerely, and to the best within us all,
 Anthony Raymond Bullard
 President, The Dashul Institute
 Founder, President, and Owner, Bullard Enterprises

CC:activism@moraldefense.com @
 inetgw.letters@capitalis.

MTC-00014448

From: Mark Suter
 To: Microsoft Settlement
 Date: 1/21/02 9:13pm
 Subject: Microsoft Settlement
 Mark Suter
 6023 Meadow Lane
 Bakerstown, Pa 15007
 January 21, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry.

It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken

up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
 Mark Suter

MTC-00014449

From: John L. Carlson
 To: Microsoft Settlement
 Date: 1/21/02 7:15pm
 Subject: Microsoft Settlement
 John L. Carlson
 4506 W. 117th St.
 Alsip, IL 60803-2220
 January 21, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry.

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Thank you for this opportunity to share my views.

Sincerely,
 John L. Carlson

MTC-00014450

From: Brian Walker
 To: Microsoft Settlement
 Date: 1/21/02 8:51pm
 Subject: Microsoft Settlement
 Brian Walker
 P.O.Box 26
 Windermere, FL 34786-0426

January 21, 2002

Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry.

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Thank you for this opportunity to share my views.

Sincerely,
Brian F. Walker

MTC-00014451

From: Carol Aumack
To: Microsoft Settlement
Date: 1/21/02 9:09pm
Subject: Microsoft Settlement
Carol Aumack
760 Kerry Downs Circle
Melbourne, FL 32940
January 21, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry.

It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick

the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Carol Aumack

MTC-00014452

From: Donald W. MacVittie
To: Microsoft ATR
Date: 1/22/02 12:14am
Subject: Proposed
Microsoft Settlement

To Whom It May Concern;

As a professional software developer and a freelance technology writer, I feel the need to write concerning the currently proposed settlement. From an historical perspective, Microsoft as an entity has been beligerent and hostile to court orders. There is no reason to believe that this attitude will change. A simple review of the number of contempt cases Microsoft has been a defendant in makes this trend clear. With this in mind, I firmly believe that any settlement that leaves Microsoft intact is a disservice to the public at large. I do not mean to disparage the items included in the proposed settlement, I just don't believe they can be effective.

The only solution that I feel is guaranteed to stop Microsoft's anti-competitive practices and allow the computer industry to progress beyond Microsoft's limited vision of the future is to split the company into at least three (3) separate entities. At a minimum, the company should be split into "desktop systems", "server systems", and "development tools". All communications between these organizations would have to be at the level that current competitors are given access.

I believe in an open and competitive market. I believe that the government should be business friendly. I just do not feel that the interests of a single big-business are the best interests of business in general.

Thank you for your time,
Don.

Donald W. MacVittie
dmacvittie@nwc.com don@
nandgate.comdmacvit@wpsr.com

MTC-00014453

From: Jed Singer
To: Microsoft ATR
Date: 1/22/02 12:47am
Subject: One voice

It seems ludicrous to me that they might receive a "punishment"/settlement that is, in effect, an excuse to make inroads into education, one of the few markets that they do not grip in a stranglehold.

The only people I know who are supportive of Microsoft and its monopolistic practices are Microsoft employees, and even most of them with whom I am acquainted are more ashamed of their company than anything else. As far as I can tell, it is the will of the people that something—significant—be done to diminish their power; as it is, they abuse this power:

* by willfully disregarding well-established standards of information technology that

have been formed by consensus of many and then forcing others to comply with their new proprietary creations

* and by spreading uncertainty, fear, and doubt in the minds of consumers, leading them to purchase Microsoft's products when in many cases their are other products that would work as well or better and cost less ("Well, I really like this other software, but it's not Microsoft; isn't that what everybody else uses? If I want to be compatible with them, I'd better pay more for something I like less. . .")—Not only are there frequently better/cheaper solutions, they almost never suffer from compatibility issues. Developers are aware that we live in a Microsoft-dominated world, and thus tend not to release products that are unable to function in such a world. As I mentioned, it is my belief that it is the will of the American people that something be done to put a stop to this, though Microsoft has in the past attempted to argue otherwise (through numerous well-documented rigged surveys and imaginary statistics they have concocted). I urge you, as the arm of the government which exists of, by, and for the people, to take forceful action.

Thank you,
Jed Singer
650 Anthony Lane
Madison, WI 53711
608 233-2893

MTC-00014454

From: Jim Dykeman
To: Microsoft ATR
Date: 1/22/02 12:56am
Subject: Microsoft Case
Anyone for punishing Microsoft is anti-commerce and should be voted out of office
James J. Dykeman
Mercer Island, WA 98040

MTC-00014455

From: Sullivan
To: Microsoft ATR
Date: 1/22/02 1:00am
Subject: Microsoft Settlement
TO:
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
RE:
Microsoft Settlement

As a US taxpayer and freedom-loving citizen, I urge you to settle the case against Microsoft as quickly as possible, with NO fines, damages, or other punishment of Microsoft.

Like millions of other individuals across the country, I use Microsoft products daily, both at home and in my office. I use these products of my own free choice—I don't need the government to tell me what I should or shouldn't have on my computer, and I resent myself, or any other private individual, being characterized as some kind of helpless victim of corporate power.

Corporate power is actually financial strength; it comes from creating products for people to buy and use, and a company remains viable only so long as it provides useful products that many people choose to buy. Unless it is granted special favors by the government (which is improper), the only

power a company has is to offer opportunities—in the form of products and services—to anyone wishing to avail themselves of the opportunities.

The U.S. government should protect the property rights of companies—not try to limit or redistribute their property because less successful competitors resent their market prowess. The government should protect free trade, and should laud and protect the accomplishments of companies like Microsoft. It is immoral to punish the successful for being successful! The entire anti-trust concept is an abomination: it is antithetical to capitalism and free trade—and to the United States of America.

Thank you for considering these thoughts.

Sincerely,
Daniel T. Sullivan, DDS
St. Louis, MO
Sullivan@tseinc.com

MTC-00014456

From: Alan Naisuler
To: Microsoft ATR
Date: 1/22/02 1:20am
Subject: Microsoft Settlement

I am writing to oppose the DOJ's proposed settlement and in favor of the Litigating States' Remedial Proposals.

I am a professional Windows software developer with 30 years of software experience and having first written Windows code in 1985 when it was first introduced.

I am disappointed by the DOJ's:
—technical naivete
—reversal of direction once the Republican administration took office
—Ashcroft's public declaration to quit the litigation BEFORE starting settlement negotiations with Microsoft
—failure to see Microsoft's incredible drive to dominate and monopolize
—warning the judge not to rule more in their favor than the settlement agreement.

Microsoft's marketing behavior is criminal but I will not get into that now. However, I need to be protected from it.

I wish to dispute the specific claim by Microsoft that Internet Explorer browser can not be detached from the operating system without harm or hindrance. It is my professional opinion that this is baloney and is a prime example of Microsoft's bold lies to the technically inexperienced. First, please find below a section of a 1996 Microsoft technical article aimed at Windows developers / programmers such as myself. This article bragged about the technology and expertise that Microsoft had used in ushering in the brave new (Microsoft) world in which everyone could write software that could easily and efficiently interface with other software. But when Netscape and Java came along (about that time), Microsoft's API's, DLLs, COM, ActiveX, and (later) .NET crap somehow could NOT permit Microsoft to detach IE Explorer from the OS and put it on an equal footing with third party software. As a Microsoft Windows developer (from 1985), I am saying that this is bull&#\$ and I think the DOJ needs to hear it.

Second, Bill Gates has recently and suddenly got religion relative to security, privacy and viruses. I have enclosed below a short article concerning his new interest in

the subject. The Internet Explorer, as should all Internet client programs, must be separated from the operating system with a clean divide between the two. Only this would permit commands and data to be monitored as they enter and leave the computer from / to the Internet. Security has always demanded that the browser be separate. It is pitiful that I am trying to convince someone in the DOJ of this. What is your real job? You can't be qualified for judging this. If you bothered to ask an expert, you would have been told this long ago.

Microsoft should be broken up. If Judge Jackson had not given the interview, they would have been broken up. If the DOJ had not become so politicized, then they would have been broken up. However, at this time, I am asking for the Litigating States' Remedial Proposals to be adopted.

Thank you.

Alan Naisuler, MSE

acn: here is a section of a tech article from about the time Microsoft was blocking Netscape from installing its browser. Note how they describe the easy and free process of having third parties plug their software into applications written with Microsoft technology. That was until someone wanted to plug into their operating system. It shows how Microsoft is lying when they claim Internet Explorer had to be hard-wired into the OS.

http://msdn.microsoft.com/library/default.asp?url=/library/en-us/dnolegen/html/msdn_aboutole.asp

What OLE Is Really About

Kraig Brockschmidt

OLE Team, Microsoft Corporation

July 1996

Kraig Brockschmidt is a member of the OLE design team at Microsoft, involved in many aspects of the continuing development and usage of this technology. Prior to holding this position, he was a software engineer in Microsoft's Developer Relations Group for three years, during which time he focused his efforts on OLE, versions 1 and 2, and produced the books Inside OLE 2 and Inside OLE, 2nd Edition for Microsoft Press(R). He has worked at Microsoft since 1988. . . .

To be used successfully, component software requires that applications always check on what components exist when they need them, instead of assuming there is only a limited set. When a new component is added to the system, it should become instantly available to all applications, even those that are already running. For example, consider a word processor that has a "Check Spelling" menu command whose implementation relies on the existence of a suitable spell-checker component. If a newer and better component is added to the system, that application can immediately take advantage of it the next time the user clicks that menu item.

A system that supports component software must therefore support a generic "service abstraction"?that is, an architecture that defines how all types of components appear and how they are manipulated. In addition, the architecture must be extensible, so that a new component category (as opposed to an implementation of an existing type) can be introduced without having to

revise the architecture. This is the problem of creating an extensible service architecture. For instance, it might be easy to define an architecture that accommodates components that provide content for compound documents, but can that same architecture accommodate later specifications for custom controls? In other words, the architecture must expect that new component types, or categories, will be defined later on. The other big problem that such an architecture must solve is that of "versioning." It turns out that the first definition of a component type is easy to manage, as is the first implementation of any particular component. The difficulty comes in managing revisions to the designs and the implementations over time. COM and OLE are the results of Microsoft's experience with such problems.

acn: it would make good security sense to separate the browser from the OS Locking Windows

Microsoft Announces Corporate Strategy Shift Toward Security, Privacy
WASHINGTON, Jan. 16, 2002

(AP) Microsoft Chairman Bill Gates announced to employees Wednesday a major strategy shift across all its products, including its flagship Windows software, to emphasize security and privacy over new capabilities.

In e-mail to employees obtained by The Associated Press, Gates referred to the new philosophy as "Trustworthy Computing" and called it the "highest priority" to ensure computer users continue to venture across an increasingly Internet-connected world.

Gates said the new emphasis was "more important than any other part of our work. If we don't do this, people simply won't be willing—or able—to take advantage of all the other great work we do."

"When we face a choice between adding features and resolving security issues, we need to choose security," Gates continued. "Our products should emphasize security right out of the box."

The dramatic change comes after the discovery of major security problems in Microsoft products, such as a flaw in the latest versions of Windows that allow hackers to seize control of a user's computer. Another problem allowed the Code Red viruses to cripple hundreds of thousands of computers running Microsoft products.

Gates also referred to the Sept. 11 terrorist attacks as another impetus to stress security. He noted that events from last year, from the terror attacks to the virus outbreaks, "reminded every one of us how important it is to ensure the integrity and security of our critical infrastructure, whether it's the airlines or computer systems."

Microsoft products can be found in almost every government facility, from the White House to aircraft carriers at sea. One person with knowledge of the change said new products and features will be tested for security risks before going any further ? if they fail, the feature won't be included.

"Things are going to have to go through a crucible, and the crucible will be security-first," according to this person, who spoke only on condition of anonymity.

Compensation plans of Microsoft product engineers, such as raises and bonuses, will also be tied to how secure their products are.

Russ Cooper, a security expert with TruSecure Corporation, said the change occurred in part after a new security team assigned to attend every product meeting met resistance from product teams. Microsoft has long been criticized for focusing on making products more feature-rich rather than emphasizing security and stability. For example, Windows XP added DVD player software, a rudimentary Internet security utility and a new instant messaging program.

Customers could also see a downside, though. Other than fewer new features, product upgrades could come less frequently or could be pushed back.

Privacy is also a focus.

"Users should be in control of how their data is used," Gates wrote. "It should be easy for users to specify appropriate use of their information including controlling the use of e-mail they send."

MTC-00014457

From: Andrew Hsi
To: Microsoft ATR
Date: 1/22/02 1:31am
Subject: Microsoft Settlement

Hello,

I am a concerned citizen, and would like to voice my opinion against the Proposed Final Judgment in the U.S. vs. Microsoft case currently being considered by the Federal District Court. I believe that the proposed settlement does not adequately address Microsoft's anti-competitive behavior identified in the Appeals Court, and allows for huge loopholes that Microsoft will be able to continue their anti-competitive behavior.

Here is my personal information:

name: Andrew Hsi
address: 991 Belmont Terrace
Sunnyvale, CA 94086
phone: 408-730-5796

Thank you for your consideration.

Best regards,
Andrew Hsi

MTC-00014458

From: Milo Strickland
To: Microsoft ATR
Date: 1/22/02 1:45am
Subject: Microsoft Settlement (proposed)
Dear Sir or Madam,

As a long time Macintosh user, I find the proposed settlement objectionable. As an attorney licensed in Texas, I want very much to see a non political, just and fair DOJ.

I sincerely hope that you keep the best—long Term—interests of this country in mind as you formulate your decision. Best regards,

Milo Strickland #19394300

MTC-00014459

From: Aharon De La cruz
To: Microsoft ATR
Date: 1/22/02 1:49am
Subject: Microsoft settlement

MS should be forced to donate \$10 billion over the next 10 years to several (at least 3) nonprofit organisations which would them distribute to the money to the public shools who apply for a grant. MS should be divided at least into 2 separate companies one for the operating system, and one for it's applications software including Explorer and MS Office. MS Explorer and the second most

popular internet browser (Netscape Communicator) should both be bundled in the operating system, like other companies do.

Aharon.

MTC-00014460

From: J Tom
To: Microsoft ATR
Date: 1/22/02 2:02am
Subject: Microsoft Settlement
To: Antitrust Division,
U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530-0001
Judge,

I am writing this in response to the request made to the public to comment on the proposed settlement of the Microsoft antitrust case. I run a software business four blocks south of the now destroyed World Trade Center. We are a software consulting firm providing our services to various firms in the medical, educational and financial sectors. Having worked for more than 15 years with both Microsoft as well as non-Microsoft products, I see that there are two fundamental differences between Microsoft products versus non-Microsoft products:

1: Microsoft suite of products (front, middle and back-tier) helps both us as well as our clients preserve our respective intellectual property rights by providing the necessary infrastructure/culture for clear, verifiable and affordable technical handshakes. In contrast, the culture surrounding the non-Microsoft products deliberately encourage property theft; witness the Napster business model (wherein the artists are short-changed), as well as the Open Source Software movement (wherein the programming community is short-changed). And all of this is being actively pursued allegedly for the furtherment of some Marxist ideal where private property is one day, effectively abolished. As our nation makes greater and greater commitments to the knowledge economy, it is incumbent on the judicial arm of the government to do everything it can to preserve and protect intellectual private property. Instead what I witness as the essence of the anti-trust case against Microsoft is an incredible perversion of justice where the one company that is doing everything it can to help preserve private property is being vilified and tortured to death by a thousand regulatory cuts at the instigation of incompetent firms that have failed to meet market needs (see point 2 below). Like Gulliver in Lilliput, Microsoft is being brought down by an envious mob eager to despoil it of its proprietary code. And the Justice Department is providing all the regulatory rope.

2: Microsoft products are fundamentally bottom-up and inductive in nature; in contrast the non-Microsoft products are predominantly top-down and deductive in nature. Induction drives our economy. The non-Microsoft firms have fundamentally failed to identify and address the inductive essence of creativity and problem-solving in the knowledge economy workplace. This is the main reason why they do poorly in the marketplace. But instead of identifying this failure and correcting and improving their

product-suite, they waste everyones resources in this bitter fight to bring down the one firm that has got it right. The bottom-line is that our clients and workers are far more productive with the Microsoft products as compared to the non-Microsoft products. The sad fact is that by bringing down Microsoft, the Justice Department will have actively participated in seriously crippling one of the greatest creative engines of our economy. And as history will one day witness, the malaise that infects our economy today has much to do with the destructive anti-trust action against Microsoft.

Even as I recall with horror the immense destruction of life and property from the terrorist strikes of September 11th, I am afraid that the scale of long-range destruction being unleashed by the Microsoft haters is far worse.

John Thomas
johnmicel@hotmail.com

MTC-00014461

From: Tony Ramirez
To: Microsoft ATR
Date: 1/22/02 2:04am
Subject: Microsoft Settlement

Dear Madam or Sir,

After a long and careful consideration on the available information,

I believe that Microsoft Co. should be broken into at least 5 different companies; applications, desktop operating systems, security, games, and Macintosh software. The people responsible for the predatory marketing ought to be penalized with jail time, & large monetary fines.

The proposed school aid remedy is just a thinly veiled attempt to exploit the educational customers. As a teacher I believe it would be a great mistake to allow a remedy without proof that Microsoft will not be able to continue to dominate the marketplace.

Sincerely,
Tony Ramirez
tony.ramirez@home.com

MTC-00014462

From: Popcord@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 2:11am
Subject: Microsoft settlement?

I don't know what the settlement entails, I can only suggest that Microsoft is very unfair with their products.

I purchased a desktop computer with PREinstalled software and when I asked for individual programs that are installed already in case I have to reinstall, I was refused. I have to get help to reinstall ONE program OR use a double restore disk I had to purchase for an additional \$10 that will remove everything I put on the computer since I purchased it and start from scratch. That is NOT fair. I should also be able to install the programs I use IN MY HOUSE on my computer yet I am told that Compaq and others make a deal with Microsoft to NOT give the customer the programs the company PREinstalls, that is not fair. WE the public are not privy to any agreement Compaq and others have with Microsoft and also think it is unfair for a company to act like the program police and be a middleman? Compaq and others come with preinstalled

Internet Explorer, what if you want Netscape . . . and why do I never get a disk to go with Windows or a separate Explorer either? Their whole system reeks of unfair practices. I accidentally removed two programs and have to reinstall them and was told if I redo the system everything will be removed except what came pre installed originally. Why do I have to have PREinstalled software, why can't I have the disks to install my own if or when I want them installed? I didn't make a deal with Microsoft, only with the computer maker to buy their product? If they want to include the disks they should INCLUDE individual disks they PREinstall instead of eliminating them. Dee

MTC-00014463

From: alcoha@att.net@inetgw
To: Microsoft ATR
Date: 1/22/02 2:25am
Subject: Microsoft Settlement

Dear Sir:

As a taxpayer I strongly object to your wasting our funds in the persecution and harassment of a company, Microsoft, who has given the consumers many wonderful and useful products and has employed many people providing them with a living in this endeavour.

Back off and let the free market operate. Our government never seems to be able to do anything correctly.

Alfred Coho

MTC-00014464

From: gon2dogs@net-serv.com@inetgw
To: Microsoft ATR
Date: 1/22/02 2:28am
Subject: MICROSOFT SETTLEMENT
Denise Stage 6340
Bates Crossing Road
Nunnally, TN 37137-2502
January 14, 2002
Attorney General John Ashcroft,
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I have been following this antitrust dispute between Microsoft and the Department of Justice for the last three years, and I must confess that I am extremely pleased to see that it has finally come to an end. The settlement that has been reached is fair; in my opinion, the only unfair thing about this situation is that this case was ever brought in the first place. Some people have made the mistake of seeing Shunt's work as a load of rubbish about railway timetables. This nation has entered into trying times both politically and financially. Quite frankly, there are more vitally important issues facing this nation than the inopportune pursuit of this case. This settlement is reasonable. While Microsoft has had to make more concessions than was ideal, I agree with the position that they have taken to end this suit as soon as possible, and thus the acceptance of the rather stringent terms of the settlement. Microsoft needs to concentrate all of its resources on innovation and the business that has made this company—and thus the American technology industry—the worldwide success that it has become. But clever people like me who talk loudly in

restaurants, see this as a deliberate ambiguity. A plea for justice in a mechanized society. I want to express to you my support for this settlement, and to thank you for the foresight that you have demonstrated in orchestrating its development. I hope that we can finally put this heinous suit behind us and that we can finally focus on the important issues facing This nation. Thank you. When Shunt says the 8:15 from Paddington he really means the 8:17 from Paddington. The places are the same, only the time is altered. But is suspense, as Hitchcock states, in the box. No, there isn't room, the ambiguity's put on weight.

Sincerely,
Denise Stage

MTC-00014465

From: Alan (Earthlink)
To: Microsoft ATR
Date: 1/22/02 2:37am
Subject: Microsoft Settlement—Leave Microsoft Alone

To the District Judge, Department of Justice:

Enough already! Leave Microsoft alone!

Competitors are trying to destroy Microsoft, to cut off their legs to make others seem taller. They want to destroy it, rather than compete. But you are not just punishing Microsoft, you are punishing the tens of thousands of individual customers like myself who use Microsoft's products to make our lives easier. Everything that you are punishing them for is something that improves my quality life and saves me time and money. Sun, Oracle, Apple, and the other companies who trumped up charges against Microsoft are not the Great Protectors of Competition, they are jealous, whining destroyers of competition, because they feel unable to compete with Microsoft on the strength of their own products and abilities. Microsoft's supposed "monopoly" will disappear the minute their product ceases to be a great product at a reasonable price. The alleged "power" they have, due to their size, can turn against them at a moment's notice, if their product is no longer attractive to the consumer. Their size makes them more sensitive to their public, because one bad release means that millions of people don't upgrade, not just a few, costing them billions in a matter of days. They are no more able to offer lousy products with impunity than any smaller company. They use their billions to produce a great product to serve and keep their customers, no different from a small company. There is no "coercion" here. I chose Microsoft because I like it better than Sun Unix and better than Mac. That's all. That could change the day they offer a better product than Microsoft. They haven't.

If even one of Penfield Jackson's idiotic, destructive remedies is adopted, it will be a loss to us, the American consumer, much more than to Microsoft. If you mandate the removal of the Internet Explorer browser from the Windows operating system, for example, then simple browsing operations will again be fraught with unnecessary crashes. Netscape could use the API more effectively to achieve a similar integration, but they haven't. Microsoft has to publish this interface in order to encourage other

companies to write software for Windows. They are driven by the market to disclose the means by which other companies can write software as good as theirs or better. Some do. Netscape has not. They do not deserve special consideration for their own limitations of ability. One good programmer, like Gates, Jobs, or Torvald, can beat a thousand lesser programmers. It doesn't take millions to "beat" Microsoft, just better ideas and smart marketing. There is no need to cripple Microsoft. That just discourages others from trying to achieve the same level of success. You are considering crippling the system to allow lesser talents to "compete." Would you break the legs of all the non-American runners in the Olympics to give ours a better chance? Who does that benefit? What do those scores mean? They are worthless and tell us nothing about the capacities of human beings. Conclusion: Do not punish Microsoft for the mere fact that they have been a phenomenally well-run enterprise, as a business and as the leader in the personal computer revolution "Antitrust?" This case is anti-American, anti-competitive, anti-business, and opposed to every freedom that we have fought and continue to fight for.

Background Note

I have worked in the Information Technology field for 23 years, none of them working for Microsoft, any subsidiaries, or any of its legal opponents. I speak as an expert in IT and as a citizen of the U.S., not for any organization. I have followed this case for the years that it has dragged on, crippling Microsoft and having a continuing chilling effect on other technology businesses and financial backers. Stand up for our rights and our freedoms. Please stop the anti-American attack on Microsoft at once!

Thank you,

Alan H. Nitikman
3480 Barham Blvd, #122
Los Angeles, CA 90068
(323) 876-7087
alann9@earthlink.net

MTC-00014466

From: victor maldonado
To: Microsoft ATR
Date: 1/22/02 3:24am
Subject: Re: U.S. v. Microsoft: Settlement Information

Dear Ms. Renata B. Hesse,

I've read the proposed settlement on your web site and I find it to be insulting given the fact that Microsoft continually is allowed to get away with not only poor products that are security risks for all its users but also for bullying its competitors and forcing its user base to waste valuable time just trying to problem solve its products. Our government should not let up on Microsoft and settle for an inadequate settlement but it should make sure that Microsoft is punished more severely than what is now being proposed.

sincerely,
victor maldonado

MTC-00014467

From: Greg gosser
To: Microsoft ATR
Date: 1/22/02 3:55am
Subject: Microsoft anti trust suit

Dear sirs,

It is in the best interest of the nation and the world at this time to restore faith in the United States economy. The Microsoft anti-trust suit has greatly damaged that faith and I believe has led us to where our economy is today.

Everyone wants a piece of the pie and everyone is jealous of someone else's success so let's stop being petty and settle this case showing that the American dream is what it is supposed to be. Rule in favor of Microsoft.

sincerely,

Gregory M. Gosser

MTC-00014468

From: Ulf Dahlen

To: Microsoft ATR

Date: 1/22/02 3:58am

Subject: Microsoft Settlement

Dear Sir/Madam,

I believe a remedy must include breaking up Microsoft in at least two parts, where one contains the Operating System business only. I can't see how anything less than that will bring back competition. I do not think the proposed remedy will have the intended impact.

Thank you for accepting comments from the public.

Regards,

Ulf Dahlen

Sodra Promenaden 25C

S-21138 Malmo

Sweden

MTC-00014469

From: Douglas (038) Alice Ku

To: Microsoft ATR

Date: 1/22/02 4:04am

Subject: Microsoft Settlement

Dear Sir:

I am sending you a copy of the letter that I sent to former President, Bill Clinton 2-3 years ago (see below). It said/says how I feel about the antitrust case against Microsoft.

The provisions of the Antitrust Settlement appear to be tough, reasonable and fair to all parties involved. I do hope all the states involved settle the case with Microsoft ASAP for the good of the consumer, the industry and the U.S. economy in all.

Copy of letter as follows:

As a PC user and consumer, I would like to speak up for myself and fellow consumers. I don't think Microsoft has harmed me in any way. What I do know is that Microsoft has brought a great deal of convenience to my life and that should be applauded for it, not be punished because of it. I am so glad I can write you via email; I can trade stocks on-line today; communicate with my children and friends in a convenient forum; purchase books, clothing on-line, all things I would never have dreamed of doing years ago. I love the fact Explorer/browser is being bundled with Window's operating system. The case filed by The Department of Justice (DOJ) was a joke and the ruling by judge Jackson greatly disappointed me. I ask you for your kindness to listen to the voice of a real consumer, not from Microsoft's rivals only. It would cause a great deal of harm to the consumer if DOJ and judge Jackson undo what Microsoft has

done for the industry and its customer.

Please don't let them stifle the pioneer spirit that has made America what it is today and further, shake the U.S. economy as well as our leader position in the tech world. Let's step back and look up at a bigger picture instead.

Why is it that the tallest trees must be trimmed or, in this case, chopped into pieces perhaps? Believe me, there are countless trees and plants have survived because of their taller brethren. The tallest trees may appear, in some manners, to monopolize certain elements like the sun, the air, the water, but at the same time they shelter those underneath them from those same harsh elements. For those who do not care for the shade, go find their own grounds and plant their trees. They can get all the sun, air and water they wanted. Do you think they won't complain about being discriminated for not getting any shade? Fair competitions, in my eyes, should encourage other companies to come up with better products and to convince industries and consumers to adopt it. Fair competition should not result in us burning our forest down.

Who did Microsoft go to cry to 25 years ago about rivals such as IBM? As you know, Microsoft did not go to DOJ. You know why? The reason is that Microsoft was not, and has not been, a cry baby, unlike some of its competitors. Microsoft won the market over by presenting a practical, quality product, which is what I call a fair competition. Success is a long hard road. Those companies that wished to grab it overnight, have been very disappointed. Even worse, they wanted to grab the market by tightening up Microsoft's arms and legs through DOJ. Do you call that a fair competition? Shame on those companies. What is this so-called "Most Favorable Trade Partner of the U.S."? Can you explain why Microsoft is not allowed to give a better price to its preferred business partners? Why the bulk buyer almost always gets better rate? Is the U.S. government, as well as these other manufacturers, above the law while Microsoft seems to be penalized for what seems to be nothing? Why can supermarkets and department stores offer special discounts to their members and preferred customers? Why is Microsoft being punished for what is commonly accepted practice? Besides, contracts are supposed to be signed by both parties upon agreement. I assume it is done through the legal departments of both companies. One can always say no. Why is Microsoft being blamed for another party's assent to a contract?

I dropped AOL as my internet service provider in the fall of 1999 after signing up with them for four or five months. The reason I discontinued the service was due to the fact that I was disconnected from the system constantly while browsing. I had contacted their Tech Support Unit a number of times but never received a satisfactory resolution to my problems. To be perfectly honest with you, I just got tired of dealing with it. I am with another internet service provider now and very happy with it. I wish Mr. Case would spend more energy in improving his own business and products and focus on providing quality customer service rather

than placing blame on to his rivals for his loss in market share.

One last message for the representatives of the nineteen states:

Thank you for looking after the benefits of the consumers in your respective states. Don't you think your states have collected enough sales tax from the sales of Microsoft products? The amounts you have claimed that Microsoft overcharged consumers, I believe, they should be refunded to the consumers who actually paid for purchasing of the products, and should not be held onto by the state. The states should refund consumers for the overpaid sales taxes generated by Microsoft product sales accordingly.

Just as a side note, I would like you to know that I bought 320 shares of Microsoft stocks last summer to show my support to the company. I still own the shares. I wish I owned more to show more support.

Thank you for your time and consideration.

Sincerely,

Mrs. Alice Ku

MTC-00014470

From: Sue Lann

To: Microsoft Settlement

Date: 1/22/02 2:55am

Subject: Microsoft Settlement

Sue Lann

1127 SE Dale Street

East Wenatchee, WA 98802

January 22, 2002

Microsoft Settlement

U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

Sue Lann

MTC-00014471

From: Mayumi Morita and Rob Ahad

To: Microsoft ATR

Date: 1/22/02 4:17am

Subject: Legislate Microsoft

Microsoft is a giant in the software industry, more than 20 times larger than the nearest competitor. They can not increase market share except through expansion into new and emerging high tech markets. This is a high stakes game and Microsoft is holding most of the cards. There is no way they won't stack the deck in their favour without government intervention. That is a fact, plain and simple.

First off, Windows must be open equally to all parties writing software for the platform. Microsoft developers of applications must not be allowed to have months (an eternity in high-tech) with the operating system before competitors get a crack at it.

Second off, the operating system must not be allowed to be tied to PC sales. All PC makers must be free to offer any or no operating system without fear of retaliation from Microsoft.

Third off, there should be transparent access to all Microsoft "features" in Windows upon installation and afterwards. The unsophisticated user has no idea how to turn off Microsoft sponsored "Favourites", for example. It often takes weeks to figure out how to turn off a "aalt" link.

There is obviously much more. But I think I've made the main points. Essentially, the operating system must not be tied to anything not directly related to turning the computer into an appliance.

Thanks for your attention.

Rob Ahad

MTC-00014472

From: E. T. Harrison
To: Microsoft ATR
Date: 1/22/02 4:14am
Subject: Microsoft Settlement
104 Ivy Ridge Place
Jacksonville, NC 28540
January 19, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing with regard to the settlement that was reached between Microsoft and the Justice Department in November. I support the settlement, as it will allow the government and Microsoft to stop wasting resources on a three-year old battle and get back to doing what they each need to be doing, winning the war, fixing the economy, getting rid of the last administration's thinking (sic); and for Microsoft, producing good software.

The settlement represents an opportunity for the country and Microsoft to move forward. Microsoft has made significant concessions and the government negotiated a strong agreement. Microsoft will, for example, share information with its competitors, which will allow them to place their own programs on the Windows operating system. Any concerns about Microsoft shirking their responsibilities should be alleviated because Microsoft agreed to an oversight committee to be formed by the government.

I support this settlement, and look forward to seeing this case come to a close.

Sincerely,
Edward Harrison
Major of Marines, Ret.

MTC-00014473

From: vladimir@foxinternet.net@inetgw
To: Microsoft ATR
Date: 1/22/02 4:34am
Subject: Microsoft Settlement comments

Dear Sirs,

Thank you for this opportunity to comment.

I find the current proposed settlement to be nothing but an ineffectual slap on the wrist for Microsoft. I think Judge Penfield should have split the company into two. Operating System and Applications. Seemed very fair to me.

Since the above is now unlikely to happen, there needs to be harsher restrictions in the new proposed settlement. To be brief:

Most important:

Removal of Internet Explorer and
\$\$\$compensation to Sun Microsystems.
Removal Of Media Player and
\$\$\$Compensation to Real Networks . . . and
the list goes on.

Next:

Open up full documentation of ALL
Microsofts API's to Software Developers.
I'm so tired of Microsoft shutting down my
software with each new Service Pack or
Revision.

Thank you.

Steve Hoverson
2671 Belvidere Ave. SW
Seattle, WA 98126

MTC-00014474

From: Bhairawa@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 5:13am
Subject: MicroSoft Settlement

I am glad to see some action being taken. Microsoft has been trying to convert the internet, set up on open/"public domain" standards such as TCP/IP network protocols, HTML and JavaScript, as well as "semi-public" ones like Java, into it's own private domain by means such as forcing proprietary standards into networking and web browsers. Reading through as much of the documentation that I did, I may have missed it, but is there anything addressing Microsoft getting into the cable and web-portal business? Wasn't AT&T ordered to spin off the "Baby Bells" (local phone service) when they wanted to go the opposite direction, from telecommunications into cable and computers? This last point may be irrelevant in light of mergers such as AOL-Time-Warner [-Netscape], but the other large semi-monopolies aren't trying to make the internet proprietary. . . at least so blatantly.

Thanks for protecting Freedom of Communication,

Johnathan Brown
Bhairawa@aol.com
CC:Bhairawa@aol.com@inetgw

MTC-00014475

From: patsymoosie
To: Microsoft ATR
Date: 1/22/02 5:17am
Subject: Microsoft Settlement
689 Mineral Hill Lane
Henderson, Nevada 89015

January 7, 2002

Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

As a Windows user and fan of Microsoft, I am writing to express my interest in the antitrust settlement between Microsoft and the US department of Justice.

First off, I believe Microsoft should be allowed to keep on innovating and growing at a rate similar to the last decade. They have set the standards for product and service growth, and should not be punished for that. They have also made computers more friendly and compatible for many users I know that were unable to navigate through older operating systems.

The recession has left its mark, and I believe that the technology sector should be left alone to do its business. I look forward to seeing Microsoft once again innovate change and I hope no further litigation is brought against them. Thank you for your time.

Sincerely,

Sharon Klein

Sharon Klein

cc: Senator Harry Reid

CC:webmail@reid-iq.senate.gov@inetgw

MTC-00014476

From: Mark Millard
To: Microsoft ATR
Date: 1/22/02 5:26am
Subject: Microsoft Settlement

This progresses from my details to my generalizations. But I've kept it very short.

I own a Macintosh at home and use PCs at work. (I'm a software engineer.) I own Microsoft Office at home because of work. I also use a Microsoft track-ball at home. Internet explorer is shipped with Mac OS. That is about it at home for Microsoft products. At work I use Windows 2000, Visual C++, Microsoft Office, and so on. The list here would be rather long.

In all cases the software (and hardware) is useful to me. I had many alternatives as did the company I work for. The Microsoft products fit well where they were chosen. They work together and with non-Microsoft product also in use. As a consumer I have benefited from Microsoft products. So has the company I work for. The same is true of non-Microsoft products of various kinds that we use, some of which compete with Microsoft products.

As best as I can tell from all the reading about this case, including parts of the published court findings, this case is about generally successful (but not as successful) companies wanting to use Microsoft's context to their advantage without meeting the terms Microsoft wants for such. It is also about wanting to block Microsoft from benefiting me or the company I work for (and other folks) on terms the less successful companies did not want to compete with.

I do not see how I or the company I work for is being protected by this. We are not victims. I do see how some less successful competitors would be protected from a more successful competitor. But I do not see why companies should be protected from each other in this manner.

Microsoft is using persuasion —instead of initiating force against anyone (including fraud). As long as that is the case, I find nothing here appropriate to legal sanctions. The law should protect persuasion used in one's (or a company's) self interest as a right. It should not be a privilege one (or a company) can lose by being successful at it, even if wildly successful at it. The consequences of such losses for such a reason would be horrible for a country that places securing freedom as its purpose.

Microsoft should not have an enforceable duty to help other companies. The same goes the other way as well. —

Mark L. Millard

Personal: markmi@dsl-only.net

MTC-00014477

From: Martin Larsson
To: Microsoft ATR
Date: 1/22/02 6:36am
Subject: request for information on Microsoft
Hi!

My name is Martin and I'm a 17 years old Swedish boy. I'm doing a project about Microsoft in school and I would be glad if you could send me some information about the case. It would help a lot.

Best regards //Martin

MTC-00014478

From: Pszakacs@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 7:29am
Subject: microsoft settlement

Dear Sir(s);

This case is one in which the "monopolistic" practices are better for the public.

With my newest computer at home, without the benefit of fax software bundled in, I have had a comedy of errors of purchasing and installing separate fax capability.

This situation reminds me of the monopoly previously enjoyed by AT&T in the phone industry. I do believe that we were all better off with one giant entity.

Bring back the good old days! Please allow Microsoft do what they do best.

Sincerely,

Dr. Peter J. Szakacs
(215)750-1111

MTC-00014479

From: Tom Dupre
To: Microsoft ATR
Date: 1/22/02 7:28am
Subject: antitrust case

I'm amazed at the nerve of Microsoft wanting to offer as a penalty, computers and software to the education market. This is just a ploy to get into the education market and a major disadvantage to other competitors as well. How is this even a penalty against Microsoft. I hope the judicial system sees this as well and doesn't go along with it. Let the government fine them and give the money to the schools and let the schools decide what computers and software they want to purchase.

Thanks for the time, I just wanted to express my views. I feel MicroSoft is a big bully and overpowers companies who don't do what they want. They have become too big for their own good.

Tom Dupre

MTC-00014480

From: Scott Moore
To: Microsoft ATR
Date: 1/22/02 8:12am
Subject: Re: U.S. v. Microsoft: Settlement Information

First, thank you for asking for our feed back. It is a rare thing that a justice department official would solicit comments from the public. Microsoft's offer to supply computers for schools is yet another example of the problem. Many of us are baffled at how brazen this attempt to push other products out of the education market appears! In education we have watched this company steal other people's work (such as the whole graphical-interface concept) without as much as a slap on the wrist. Forcing us to use their Media Player by disabling others is particularly nasty, a continuation of the browser problem which started all this.

Thanks for listening.

Scott Moore

Music Department

Gustavus Adolphus College

Saint Peter, MN 56082

507/933-6260 dmoore@gustavus.edu

<http://www.gustavus.edu/dmoore>

MTC-00014481

From: Ken Rick
To: Microsoft ATR
Date: 1/22/02 8:09am
Subject: Microsoft Settlement
Kenneth H. Rick
312 Warwick Drive
Wyomissing, PA 19610
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

For the past three years, Microsoft's progress in the technological field has suffered immensely. Despite this time-consuming aspect of the lawsuit, I am pleased that a settlement has finally been reached. Microsoft is a company that is known for its excellence in technology and they should not have been punished for their success. Within a timely manner, the Department of Justice should bring this case to an end. Included in the settlement are several terms to which Microsoft has agreed to change within their business practices in order to promote the shift back to fair competition within the market. Within these terms, Microsoft has enabled computer makers to remove the means by which consumers access various features of Windows and replace them with the competition's software. In addition to this, select interfaces internal to Windows programs are being made available to the competitor in order to promote software compatibility.

In conclusion, I feel that this settlement has come to reasonable terms. Both the Department of Justice and Microsoft have endured this case long enough. Now, it is time to re-focus on more significant matters.

Sincerely,

Kenneth Rick

cc: Senator Rick Santorum

Ken Rick

<http://www.dreamplanet.net>

Portal to my USA & Global Web Sites

ID# 1500399100

Success is the only option!

God Bless America

CC:fin@mobilizationoffice.com@inetgw

MTC-00014482

From: Kathleen Behrens
To: Microsoft ATR
Date: 1/22/02 8:12am
Subject: Microsoft Settlement
Date: January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

This is to ask that you give your approval to the Department of Justice and Microsoft agreement. I do not believe the antitrust suit was right in the first place. I do not think Microsoft was any of the government's business. The lawsuit was political brought on by the jealousy of Microsoft's rivals. They could not compete in any other way and sought to cripple Microsoft. I think it sets a very bad example for future companies. We encourage innovation, entrepreneurship, but punish the company when it becomes too successful.

Further, from what I understand, Microsoft has given away a great deal to appease the Department of Justice. Microsoft will share any code or program that Window uses to communicate with other programs; Microsoft has agreed to license its Windows operating system to the 20 largest computer makers; Microsoft has agreed to allow a technical committee to monitor its actions.

It is time to let Microsoft be. I support the settlement, and the end it can bring to this interminable case.

Sincerely,

Kathleen Behrens

kbehrens@kc.rr.com

830 South 57th Street

Kansas City, KS 66106

MTC-00014483

From: Jean Naecker
To: Microsoft Settlement
Date: 1/22/02 7:22am
Subject: Microsoft Settlement
Jean Naecker
6711 Lunn Rd.
Lakeland, FL 33811-2132
January 22, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken

up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Jean Naecker

MTC-00014484

From: Bond Naecker, Jr.
To: Microsoft Settlement
Date: 1/22/02 7:24am
Subject: Microsoft Settlement
Bond Naecker, Jr.
6711 Lunn Rd.
Lakeland, FL 33811-2132
January 22, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Bond B. Naecker, Jr.

MTC-00014485

From: Jack Beaudry
To: Microsoft ATR
Date: 1/22/02 8:56am
Subject: Microsoft Settlement
117 Daniel Drive
North Prairie, WI 53153
January 21, 2002
Attorney General John Ashcroft

US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

This letter serves to document my support for the proposed settlement of the Microsoft antitrust case currently before the court. This case has lasted over three years and should be finalized soon. Microsoft has agreed to all provisions of the settlement. The provisions were developed with a court-appointed lawyer. Microsoft will now share information with its competitors, use a uniform price list to determine its licensing procedures, and agree not to retaliate against companies that will use or promote non-Microsoft products. These provisions adequately address all issues stemming from the original lawsuit.

At this point, both the technology producers and the technology consumers need to move forward with a formalized settlement to set the stage for future development. Thank you.

Sincerely,
Jack Beaudry
cc: Representative F. James Sensenbrenner, Jr.

MTC-00014486

From: Edward Harrington
To: Microsoft ATR
Date: 1/22/02 9:03am
Subject: Microsoft Settlement
Justice Department,

When I think of justice, the Microsoft case does not come to mind as a shining example. When market competitors are able to drag their rivals into court for giving away a product, it is a sad day for the cause of justice in America.

Microsoft has and is the victim of the worst evil in the world: Envy. Envy that Microsoft is able to produce the most desirable & affordable products in the software markets. Envy that they are able to make available many products for free.

America is supposed to be a country where citizens are free to make choices. But the choices should not include plundering the wealth of its most productive men & women.

I ask you to please release Microsoft from this 21st century witch hunt. The witch that the previous administration wanted to burn was a hagar that conjured spells for all our personal and business computers, spells that were time-savers and life-enhancers.

During the Inquisition, witch-hunters touted its victims until they pleaded for their lives. The Inquisitors of today on Capitol Hill use the scripture of the wretched Anti-Trust law. With this "law" anyone and everyone can be convicted of practicing the magic of Capitalism, just as the inquisitor's torture always gained a gruesome confession just before the execution of the victim.

The victim today is Microsoft. It has been touted enough.

Edward Harrington
6024 TR 76 N
Green Springs, OH 44836

MTC-00014487

From: Bridget Carberry
To: Microsoft ATR
Date: 1/22/02 9:05am

Subject: Microsoft
CC: tormist@ag.state.ia.us@inetgw
January 22, 2002
Hon. Colleen Kollar-Kotelly
U.S. District Court, District of Columbia
c/o Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Dear Judge Kollar-Kotelly:

The proposed settlement between the Department of Justice and Microsoft in U.S. v. Microsoft falls far short of what is needed to put an end Microsoft's pattern of predatory practices. This deal does not adequately protect competition and innovation in this vital sector of our economy, does not go far enough to address consumer choice, and fails to meet the standards for a remedy set in the unanimous ruling against Microsoft by the Court of Appeals for the District of Columbia. Its enforcement provisions are vague and unenforceable. The five-year time frame of the proposed settlement is much too short to deal with the antitrust abuses of a company that has maintained and expanded its monopoly power through fear and intimidation.

Microsoft's liability under the antitrust laws is no longer open for debate. Microsoft has been found liable before the District Court, lost its appeal to the United States Court of Appeals for the District of Columbia in a 7-0 decision, saw its petition for rehearing in the appellate court denied, and had its appeal to the Supreme Court turned down. The courts have decided that Microsoft possesses monopoly power and has used that power unlawfully to protect its monopoly. The next step is to find a remedy that meets the appellate court's standard to "terminate the monopoly, deny to Microsoft the fruits of its past statutory violations, and prevent any future anticompetitive activity." This proposed settlement fails to do so.

The Deal Fails to Meet the Appellate Court's Remedy Standards This proposed settlement clearly fails to meet the standards clearly laid out by the appellate court. In fact, the weak settlement between Microsoft and the Department of Justice ignores key aspects of the Court of Appeals ruling against Microsoft. Here are several examples of where this weak settlement falls short:

1) The settlement does not address key Microsoft practices found to be illegal by the appellate court, such as the finding that Microsoft's practice of bolting applications to Windows through the practice of "commingling code" was a violation of antitrust law. This was considered by many to be among the most significant violations of the law, but the settlement does not mention it.

2) The settlement abandons the principle that fueled consumer criticism and which gave rise to this antitrust case in 1998: Microsoft's decision to bind -V or "bolt" -V Internet Explorer to the Windows operating system in order to crush its browser competitor Netscape. This settlement gives Microsoft "sole discretion" to unilaterally determine that other

products or services which don't have anything to do with operating a computer are nevertheless part of a "Windows Operating System product." This creates a new exemption from parts of antitrust law for Microsoft and would leave Microsoft free to bolt financial services, cable television, or the Internet itself into Windows.

3) The deal fails to terminate the Microsoft monopoly, and instead guarantees Microsoft's monopoly will survive and be allowed to expand into new markets.

4) The flawed settlement empowers Microsoft to retaliate against would-be competitors and to take the intellectual property of competitors doing business with Microsoft.

5) The proposed settlement permits Microsoft to define many key terms, which is unprecedented in any law enforcement proceeding.

Loopholes Undermine Strong-Sounding Provisions The proposed settlement shows that it contains far too many strong-sounding provisions that are riddled with loopholes. Here are several examples: The agreement requires Microsoft to share certain technical information with other companies in order for non-Microsoft software to work as intended. However, Microsoft is under no obligation to share information if that disclosure would harm the company's security or software licensing. Who gets to decide whether such harm might occur? Microsoft. The settlement says that Microsoft "shall not enter into any agreement" to pay a software vendor not to develop or distribute software that would compete with Microsoft's products. However, another provision permits those payments and deals when they are "reasonably necessary." The ultimate arbiter of when these deals would be "reasonably necessary?" Microsoft.

The settlement does nothing to deal with the effects on consumers and businesses of technologies such as Microsoft's Passport. Passport has been the subject of numerous privacy and security complaints by national consumer organizations. However, corporations and governments that place a high value on system security will be unable to benefit from competitive security technologies, even if those technologies are superior to Microsoft's. Why? Microsoft controls their choices through its monopolies and dominant market share, and still is able to dictate what technologies it will include.

Enforcement

The weak enforcement provisions in this proposed deal leave Microsoft free to do practically whatever it wants.

A three-person technical committee will be appointed, which Microsoft appointing one member, the Department of Justice appointing another, and the two sides agreeing on the third. This means that Microsoft gets to appoint half of the members of the group watching over its actions. The committee is supposed to identify violations of the agreement. But even if the committee finds violations, the work of that committee cannot be admitted into court in any enforcement proceeding. This is like allowing a football referee to throw as many penalty flags as he likes for flagrant

violations on the field, but prohibiting him from marching off any penalties. Finally, Microsoft must comply with the lenient restrictions in the agreement for only five years. This is not long enough for a company found guilty of violating antitrust law.

The Proposed Settlement fails to Adequately Address Consumer Needs

The settlement does not go far enough to provide greater consumer choice, and leaves Microsoft in a position that it can continue to charge whatever it wants for its products. As a recent Chicago Tribune story said: "If you believe that what's good for Microsoft Corp. is good for consumers, the proposed settlement of the software giant's three-year federal antitrust battle is cause for celebration. If you believe that consumers would benefit more if Microsoft could no longer use its Windows monopoly as a springboard into new markets, you stand to be sorely disappointed."

In addition, consumer groups have opposed the settlement. Mark Cooper, director of research for the Consumer Federation of America, said: "Wall Street's view is that Microsoft's business model doesn't change. If that's the case, we will continue to be afflicted with the same anti-competitive behavior."

Analysts Conclude that Deal Will Not Affect Microsoft's Practices

Sadly, the proposed final judgment by Microsoft and the Department of Justice has the potential make the competitive landscape of the software industry worse, contains so many ambiguities and loopholes that it may be unenforceable, and is likely to lead to years of additional litigation. Analysts of all kinds have indicated that the weak settlement will not impact Microsoft or its illegal practices. Following are a variety of examples:

"As we have stated before, we believe a settlement is a best case scenario for Microsoft. And, this settlement in particular seems like a win for Microsoft being that it would preserve Microsoft's ability to bundle its Internet assets with Windows XP and future operating systems

-V a plus for the company. In fact, it appears that Internet assets such as Passport are untouched.

Also, as is typical with legal judgments, this settlement is backward looking, not forward looking. In other words, it looks at processes in the past, but not potential development of the future." Morgan Stanley, 11/02/01

"The deal -K appears to be .more, better, and faster- than we expected in a settlement deal between Microsoft and DOJ. The deal will apparently require few if any changes in Windows XP and leave important aspects of Microsoft's market power intact." Prudential Financial, 11/01/01

"With a dramatic win last week, Microsoft appears to be on its way to putting the U.S. antitrust case behind it. The PFJ between the Department of Justice and Microsoft gives little for Microsoft's competitors to cheer about. -K There is very little chance that competitors could prove or win effective relief from violation of this agreement, in our view." Schwab Capital Markets, 11/6/01

"This is a spectacular victory for Microsoft." - David Yoffie, professor,

Harvard Business School, New York Times 11/02/01

"This deal appears to fall far short of what could have been obtained in court, and what's necessary to protect the public."

-Andrew Schwartzman, public interest firm lawyer, Media Access Project, Wall Street Journal 11/02/01

"[The settlement] fails to protect competition in the software industry and does not come close to dealing with the problems that were found to exist by the District Court and the Court of Appeals."

-Albert A. Foer, president, American Antitrust Institute, Washington Post 11/05/01

"This is a reward, not a remedy."

-Kelly Jo MacArthur, general counsel, RealNetworks, Inc., Globe and Mail 11/08/01

"It looks like the government is giving them a slap on the wrist. I find that sad. It won't achieve any of the goals of the proceeding."

-Robert Lande, law professor and antitrust expert, University of Baltimore, MD Wire 11/07/01

The strength of any remedy is particularly important given Microsoft's growing dominance in the software markets. Since the end of the trial in the District Court, Microsoft's monopolies are stronger in each of its core markets with both the Windows operating system and the Office suite now higher than 92 percent and 95 percent, respectively. In addition, Microsoft has achieved a monopoly in web browsers, and has seen competitors such as the Linux operating system fade.

The Microsoft Monopoly Should not be Exempt from Antitrust Laws Enforcing federal antitrust laws against monopolies is not new or novel. Antitrust law has protected free markets and enhanced consumer welfare in this country for more than a century. The Microsoft case does not represent a novel application of the law, but is the kind of standard antitrust enforcement action necessary to insure vigorous competition in all sectors of today's economy.

These same standards have been applied to monopolies in the past. We do not have one oil company determining how much we pay for gasoline, but instead we have suppliers such as Exxon, Mobil, Amoco and Chevron competing with each other. These companies were all part of the Standard Oil monopoly, which was dissolved because Standard Oil was found to have violated the antitrust laws.

Less than 20 years ago, the nation essentially had one telephone company -V AT&T. After the government sued AT&T for violating the antitrust laws, the company was broken up, and competition was introduced in the long distance business. Since competition was introduced into that market, real prices have declined more than 70 percent, and there has been more innovation in the past two decades than in most of the preceding century.

Settlement is Based on Flawed Economic Assumption, and Sets a Bad Precedent

Some defenders of the proposed settlement between Microsoft and the DOJ have adopted the view that settling this case could somehow revive the slowing U.S. economy. Their motives are good, but their reasoning is flawed. What economic theory holds that

protecting monopolies is better for stimulating the economy than promoting competition?

In addition, this case will set an important precedent. Former Judge Robert H. Bork has noted that:

"In settling the most important antitrust case in decades through a remedy that will have not impact on the current or future competitive landscape, and absolutely no deterrent effect on the defendant, the Department of Justice has effectively repealed a major segment of the nation's antitrust laws. Moreover, any potential witness with knowledge of anticompetitive conduct in a monopolized market has to weigh the potential benefit of his or her testimony against the likely response of the defendant monopolist. The DOJ's proposed meaningless remedy would insure that no witness would ever testify against Microsoft in any future enforcement action."

Conclusion

The end result is that this proposed settlement allows Microsoft to preserve and reinforce its monopoly, while also freeing Microsoft to use anticompetitive tactics to spread its dominance into other markets.

After more than 11 years of litigation and investigation against Microsoft, surely we can -V and we must -V do much better than this flawed proposed settlement between the company and the Department of Justice.

Thank you for your time.

Regards,

Bridget A. Carberry

MTC-00014488

From: Gocausey@aol.com@inetgw

To: Microsoft ATR

Date: 1/22/02 9:09am

Subject: To Renata Hesse

Mike Causey

Causey & Associates

January 22, 2002

Renata Hesse

Trial Attorney

Antitrust Division

Department of Justice

601 D Street NW, Suite 1200

Washington, DC 20530

Dear Ms. Hesse,

I am the government relations representative for two associations of small business owners in North Carolina. Hardly a day goes by that members in either of my groups-Independent Auto Body Association or North Carolina Glass Association-do not have a dilemma to deal with that has something to do with government, either state or federal.

That is why when I heard about the **Federal Register** notice on the Microsoft case I was interested in expressing an opinion. In my view, I hope that Judge Kollar-Kotelly will agree to the settlement in this case as quickly as possible so that the parties involved can move forward and the matter can be finally put to rest. As I have expressed at an earlier time in letters to my congressmen and senators, I have always pushed for a speedy ending these proceedings.

Now that Microsoft has agreed to a settlement that will open their facilities to an independent panel and agreed to other

provisions the government wanted in the first place, I see no reason for delay. It makes no sense to hold up with one of the world's most successful companies from moving forward with new products and more innovations.

I am delighted that this settlement will end years of litigation and that North Carolina has agreed to withdraw its state lawsuit. I earnestly hope that the agreement is approved by the judge.

Sincerely,

Mike Causey

P.O. Box 16725, Greensboro, NC 27416

MTC-00014489

From: Shapiro, David

To: "Microsoft.atr(a)usdoj.gov"

Date: 1/22/02 9:12am

Subject: Microsoft Settlement

THE COMMENTS BELOW ARE MINE ALONE AND DO NOT REPRESENT THE OPINION OF MY EMPLOYER OR ANY OF MY CLIENTS.

I believe that the proposed conduct-based settlement will not produce any effective change in Microsoft policy. Microsoft has violated conduct-based settlements in the past, and continues its aggressive and anti-competitive bundling practices in a way that will result in complete Microsoft domination of all products and allow it to continue to improperly foreclose any competition by rendering all competition incompatible or less readily available.

I believe that only a structural settlement has any hope of avoiding these problems. I urge the Department of Justice to reconsider its settlement proposal and seek instead a settlement that may actually achieve results. It is worth remembering that Microsoft's past use of anticompetitive practices has allowed it to develop such a dominant position in the OS platform and in other software areas that even "normal" business practices in the future will serve only to exacerbate the effects of prior anticompetitive practices. —

David Shapiro

Dechert

215.994.2456

david.shapiro@dechert.com

MTC-00014490

From: ddangelo

To: Microsoft ATR

Date: 1/22/02 9:13am

Ladies and Gentlemen, more as a concerned citizen than a small Microsoft stockholder, I believe the settlement agreed to so far among DOJ, 9 states and Microsoft to be fair and good for the Country in these economically uncertain time. Sincerely, Dario D'Angelo.

MTC-00014491

From: Peter M Anderson

To: Microsoft ATR

Date: 1/22/02 6:24am

Subject: Microsoft Settlement

In reference to the federal settlement with Microsoft regarding its monopolistic and predatory practices, I have some comments. They can all, however, be summed up in one sentence: The settlement, as written, is a bad idea.

As a long time user of Microsoft products, and student of their actions, I have the following comments.

Fact: Microsoft has been convicted of illegally extending its monopoly through the use of predatory practices. These have ranged from outright plagiarism of competitors products (as when they included source code from Stacker in DOS 6.0, and when beaten in court promptly bought up Stacker for significantly less than the penalty), to deliberate inclusion of code to decrease performance of competitors products (I can recall installing an earlier version of Wordperfect Office Suite on a Windows 3.1 machine, a process which took over 12 hours to complete. Meanwhile, Microsoft office installed in a relatively short timespan.) to deactivation of competitors software on installation of MS software (again, a recent installation of Wordperfect Office Suite 2000 on my Dell Laptop was rendered inaccessible after I subsequently installed Microsoft Office). This is not opinion, these actions have been substantiated in court proceedings and by analysis of independent software developers.

Fact: Microsoft is continuing to extend its monopoly even in the face of legal proceedings. This is a continuation of their behavior following the DOJ suit regarding bundling of applications with Windows 95- not only have they continued to bundle software, in the process moving into competitors markets, but they have increased the amount of the bundling (as is evident in Windows XP). While the Windows 95 lawsuit was particularly concerned with the bundling of Internet Explorer, now a significant number of previously 3rd party products are moot- with the inclusion of MS Media Player among other software innovation is driven from the marketplace in Microsoft's move towards inclusion.

Fact: The settlement, as presently written, will only serve to allow Microsoft to further extend its monopolistic position into areas where it does not currently have a strong position- specifically the educational K-12 market in which Apple Computer is a strong player. The "donation" of software and hardware to "disadvantaged" schools will serve only to entrench Microsoft in those locations, which will subsequently be directed into the spiraling costs of future hardware and software upgrades as Microsoft continues to massage its licensing models. The "donation" of software (for which Microsoft will, I am sure, take a significant tax deduction using overinflated value for its product) will cost Microsoft little and gain it a tremendous foothold- this is hardly something which I or any reasoning person would consider a fit punishment for illegal practices.

Fact: If allowed to continue on its current path unpunished, Microsoft will continue to extend its presence. Through its .NET initiative, redirection of browser page errors in Windows XP/Explorer to the Microsoft Network and its forays into games (XBox) Microsoft continues to extend its reach. As demonstrated by its current lawsuit against LindowsOS, Inc Microsoft is still exercising its schoolyard bully persona to drive out potentially competing products. Please note, the objection here is not to competition- for healthy competition spurts development of new products and is of benefit to consumers.

It is to predatory and unfair competition, which Microsoft has consistently been demonstrated as exercising, and which stifles innovation to the detriment of consumers. With the above in mind, it would be wrong to object without offering other options. I would suggest the following:

1) Microsoft be required as a condition of settlement to donate CASH amounts to eligible schools, which can use monies to purchase whichever technologies they deem necessary.

2) Microsoft be required to publish their Application Programming Interfaces (API's) to ALL interested parties (including those in the Open Source community) and not just those parties which Microsoft recognizes as business entities. Note this is not the same as requiring them to publish their source code—only the links to programs to aid competitors in developing new and innovative products.

3) Microsoft be regulated. Due to its pervasive in the computer marketplace, it can legitimately be argued that Microsoft now functions more as a Utility than as a software provider. Even in an atmosphere of deregulation, utility companies have strict guidelines to follow to conduct business—Microsoft, to date, does not and has shown complete disregard for previous court rulings against the company. Regulation may include, but not be limited to, separation of the application and OS sections of the business, which may spur development of competing products.

4) Microsoft be discouraged from releasing incomplete products (as reference I cite the huge security hole discovered upon release of WindowsXP) by rewriting of liability laws to allow injured parties to seek damages in the event they are affected by “buggy” software. This should, I believe, be limited to software sold “for profit”—extending it to cover “free” software such as software distributed under Open Source models would only serve to stifle innovation.

Without significant changes to the settlement as currently worded, Microsoft will be rewarded, not punished, for actions which have driven competitors into niche markets (or out of business) and will continue to extend its monopoly throughout society. The future of innovation within the software industry is in your hands.

Peter M. Anderson,
950 E. Bitters Road, Apt. 107
San Antonio, TX. 78216
CC:mcander@lycos.com@inetgw

MTC-00014492

From: John Opfer
To: Microsoft ATR
Date: 1/22/02 9:38am
Subject: Microsoft Settlement
To whom it may concern:

I am writing to comment on the proposed settlement of the Microsoft antitrust case. In my judgment, all of the settlement proposals unjustly harm Microsoft and/or its competitors. To do justice to Microsoft, I recommend that we look to historical precedent.

The precedent I have in mind comes from the trial of Socrates, who was found guilty of the “crime” of impiety and corrupting

Athen's youth. The Socrates case seems an appropriate model. Neither impiety nor “anti-competitive practices” are strictly definable, but always decided ex ante. Neither Socrates nor Microsoft did any identifiable injury to any one—no one but their competitors complained (the Athenians who couldn't persuade the public to buy their arguments, the software makers who couldn't persuade the public to buy their software). And both seemed to be on trial for their virtues—competing vigorously with their intellectual work, challenging the status quo, and defining new standards.

The proposed settlement that Socrates offered included a statue of himself in the marketplace and free meals for life. Similarly, let the Dept of Justice erect a statue of Bill Gates in front of its headquarters and provide the cafeterias of Microsoft with all the government cheese that it can handle.

No doubt others would prefer to hand Microsoft a cup of hemlock and a stiff fine, but I think the verdict of history would be far more favorable were less punitive measures taken.

Sincerely,
John Opfer
Dr. John E. Opfer
Department of Psychology
Carnegie Mellon University
Baker Hall 331, Pittsburgh PA 15213-3890
CC:nprovenzo@moraldefense.com @inetgw

MTC-00014493

From: hthugh—60plus@yahoo.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

We at 60 Plus vigorously support the free market free enterprise system and accordingly emphatically support Microsoft to be able to operate in an unfettered commercial environment. Technology is changing so fast it is impossible for any one activity to gain a monopoly.

MTC-00014494

From: wardski1@msn.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

Let the consumer decide what they wish to buy. Good technology will always win in the long run. Settle this thing before we lose any more technological advances.

MTC-00014495

From: ecwilde@prodigy.net@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

It appears to me to be the most fair and just way to once and for all settle this case. I see no reason to contest it.

MTC-00014496

From: mgb_bas@mediaone.net@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

For G-d's sake accept and approve the settlement and let's move on. Don't let the courts do to MICROSOFT what they did to a successful and very excellent AT&T !!!!!!!!!

MTC-00014497

From: REEDG@LOCALNET.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

Bill Gates brought this country from the dark ages to enlightenment just like Thomas Edison. He develop one common platform for everyone to communicate on. His company develop and marketed the software and operating system that everyone utilizes to communicate with. Yes there are other platforms that develop off his ideas. But he move this country forward in technology jobs and product development.

Look what his company did. He created jobs that were not here 10 years ago and not to mention he added to the Gross National Product. IBM did not want his operating system. . . if they did you would be taking IBM to task. The federal government did not take IBM to task for their development of the larger computer systems. Why is that? Payoff? Bill Gates is a genius just like Edison or Ford he more this great nation forward. Now the Federal government wants to take the wind out of his sails. Communication is vital and one common vehicle will get us a platform to communicate with one another easily. Maybe future wars can be prevented by using one common platform. If the federal government kills the company who else will they kill regarding product development?

MTC-00014499

From: Joer099@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement
I support the proposed settlement.

MTC-00014500

From: rmbootz@home.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

Technology research and development should be free of government interference and regulation. Microsoft had the vision and capability to devise and implement its industry to the benefit of the users. It would be for the benefit of users of this technology if Microsoft were allowed to continue with its further developments without undue restrictions. Please give us a break! Let Microsoft go forward!

Rosalie M.
Bootz

MTC-00014501

From: aflt@goldway.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

Please *DO NOT* accept the agreement as currently drafted. Microsoft has proven many times over the years that they do not play well with others. They have leveraged their dominance in office applications and operating systems to create a business environment with no viable alternatives to their products. We need tougher remedies. I support the nine states that wish to pursue harder sanctions against Microsoft.

MTC-00014502

From: boopster2626@aol.com@inetgw

To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

I feel that the settlement is fair on both sides please let us worry about issues like getting the economy back on its feet and corporations like Enron who managed to hurt many middle class people who needed their 401K to retire on. Thank you for your time.

MTC-00014503

From: jredwine@bgf.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

Enough is enough. Stop spending our tax dollars for a wasted effort. Microsoft has been punished enough and so have we tax payers.

MTC-00014504

From: dksflu@ez-net.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

Will you please let the market place enjoy what they can produce rather than let some shortsighted government officials determine what and how we can buy what we want.

MTC-00014505

From: segovia@fx2.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

We think that the only reason the justice dept. went after microsoft was to get attention away from bill clinton and his problems. we are independant but are voting republican for all candidates. we think they should drop all charges and look at the judge who was not fair or impartial.

MTC-00014506

From: kent68@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

I THINK THE CURRENT SETTLEMENT IS A FAIR ONE FOR ALL PARTIES INVOLVED.

MTC-00014507

From: jkarel70@tds.net@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

I believe the settlement is fair and is in the best interest of consumers.

Thank you
Jack K

MTC-00014508

From: ericj1c@swbell.net@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

The settlement with Microsoft is fair and reasonable. In the best interest of the state of Kansas lets drop it and go on. If you don't like Microsofts product don't use it we sure don't need the attorney general's office to decide which software we use or don't use.

MTC-00014509

From: isiinv@charter.net@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

The government should let free enterprise determine the competition levels.

MTC-00014510

From: ulrichw@samlink.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

I feel that this Case has gone on long enough. This case is hurting the economy the Stock Market technology industry and must of all the Consumers. I feel this is a fair settlement. It is time to END the case of U.S. vs Microsoft.

MTC-00014511

From: awilks@charter.net@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

It disgusts me when govern ment pursues successful business such as Microsoft. In my mind it was a left wing Clintonoid attempt to extract money from a legitimate brilliant entrepreneur. Microsoft should not incur any punishment whatsoever.

MTC-00014512

From: shahlatipton@msn.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

I would like to see the rest of the states back off and let Microsoft keeps on inovating in technology for our future and the generations to come. End the anti trust case once for all The states are just wasting the tax dollars and they should focus on fixing their state problem not the high tech industry. We should keep on supporting our companies in order to see that our economy gets better for everone and every American. All in all I believe that the states should go along with the government agreement and move on with better things than dragging it on.

MTC-00014513

From: testa558@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

The greatest strength of America has been innovations. We should indeed settle this case as soon as possible and focus on a much higher priorities: Security and restore our economic growth.

MTC-00014514

From: www.hoajr@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

We feel very strongly that the present long drawn out trial of Microsoft should be brought to a conclusion once and for all. A tremendous amount of money has been spent and a reasonable compromise has been arrived at by Microsoft and the U.S. Government. The American people need to put this mess behind us.

We need everyone involved in the world of technology to put forth their very best effort to bring this nation back on course to a strong and healthy economic recovery. We will all benefit—the consumer industry and the government.

MTC-00014515

From: alexmorc@hotmai.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

I totally support the settlement of MS with the DOJ. This finally ends a lng litigation process at our tax payer expenses which only benefits is to help some poor performing competitors of Microsoft. The new administration is doing a great job cleaning up the mess created by the previous one.

MTC-00014516

From: bobhansen@mindspring.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

Competition is healthy for all of us. Illegal activity and undue coercion/penalties are not healthy. A free market place will take care of those untoward behaviors. Look at ENRON they couldn't hide their unsavory behavior forever. Good or bad they lost. Microsoft will win or lose based on the merits. The winners must be the customers who spend the \$ to keep microsoft alive. If microsoft is doing something illegal they have to cease and desist or they will fall. If they are providing a legitimate product the the customer needs and pays a fair market price for so be it. The U S Gov has already spent toooooo much suing Microsoft. Get a life. We have more important things to do. What about guarding against cybercrime?????

MTC-00014517

From: kmiller@goldshield.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

Microsoft Can not flood the market with their products. In order for this ruling to work 75% of the products placed into public education must be other than Microsoft products. This is more in line of keeping away from a monopoly.

MTC-00014518

From: dmckee@ionet.net@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

Recommend acceptance of the settlement. Nothing of substance will be gained by continuing—the government is too slow to beat a fleet-of-foot company like MS.

MTC-00014519

From: rayres@charter.net@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

I believe the proposed Microsoft/DOJ settlement is fair to all parties involved. It's time to end the litigation.

MTC-00014520

From: ahbollhagen@yahoo.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement

While some may consider Microsoft monopolistic I believe that they have both encouraged and rewarded technologies developed by other companies. They have

done an outstanding job solving many complex applications and problems.

MTC-00014521

From: sylviaakimbrell@msn.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement
Resolve settlement now as agreed to.

MTC-00014522

From: micki3034@webtv.net@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement
A number of state attorneys general reached a settlement with Microsoft to bring the lengthy antitrust case to an end. The people believe that this settlement is fair reasonable and in the best interest of everyone. Accept this settlement and close this case.

MTC-00014523

From: keith@olingers.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement
The settlement is fair. Please end the disruption in the tech industry and economy. Microsoft has changed this world with its technology and has made it VERY easy and cost effective to run a business on their software. Microsoft and all of the Independent Software Vendors make up a no small part of this country's and this world's economy. This is a good thing! This frivolous lawsuit brought by competitors that choose rhetoric and the anti-trust courts as a method of competition instead of spending their time and money making compelling software is a monumental waste of taxpayers dollars and is one main reason for the current economic slump. End it now by approving the settlement!! Please understand the enormous amount of good that this company has done. As a small business owner it is amazingly wonderful to have a ton of choices of software to run my business that all work on Windows.

MTC-00014524

From: Cstlwramac@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement
Dear Ms. Hesse

I am 75 years old ... if I may voice my opinion from the depths of my heart strongly feel bring the lengthy costly antitrust case to an end would be for the good of the economy and we consumers. Thank you for allowing me to voice my opinion. Sincerely

Mary I Costilow
Ralph N Costilow

MTC-00014525

From: pfl7@email.msn.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:33am
Subject: Microsoft Settlement
I am all for the settlement our priority should be for the best of our country.
susan lai

MTC-00014527

From: digger160@msn.com@inetgw

To: Microsoft ATR
Date: 1/22/02 9:34am
Subject: Microsoft Settlement
Time for a settlement and time to let Microsoft focus on what it does best.

MTC-00014528

From: n22amoroso@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:34am
Subject: Microsoft Settlement
I agree with the settlement.

MTC-00014529

From: kpetraro@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:34am
Subject: Microsoft Settlement
I feel the people should make the decisions not the government.

MTC-00014530

From: globarr@yahoo.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:34am
Subject: Microsoft Settlement
I am a physicist and extensively use computers. I do not technically like all of what Microsoft does. But as Americans we need to bring this to an end! The agreement is more than fair and freedom is worth much more than what we can get with such improper legal efforts as we are now doing!
Thanks!!!!!!

MTC-00014531

From: dont@tushauscpa.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:34am
Subject: Microsoft Settlement
Stop wasting taxpayer's money & accept Microsoft's settlement offer. If Microsoft is guilty of anything which I doubt its miniscule compared to the debacle of Enron & all the related parties. Get your priorities in order & at the same time let's try not to make the attorneys the wealthiest people in the USA.

MTC-00014532

From: jimdunlop@mediaone.net@inetgw
To: Microsoft ATR
Date: 1/22/02 9:34am
Subject: Microsoft Settlement
Microsoft has been guilty of predatory anti-competitive practices and should have been broken up. I agree with the several state attorneys general including the one from Massachusetts who are objecting to the settlement.

MTC-00014533

From: jmegna@wettv.org@inetgw
To: Microsoft ATR
Date: 1/22/02 9:34am
Subject: Microsoft Settlement
The case of U.S. vs. Microsoft is a disturbing example of government sponsored extortion— nothing more! There is no monopoly here and there never was! Bill Gates only mistake was failing to make large cash contributions to the Clintons and the Dems.—if he's done so the Reno Justice department would never have gone after him. This country should reward innovation not punish it!

MTC-00014534

From: wick@nagoghill.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:34am
Subject: Microsoft Settlement
I AM STRONGLY IN FAVOR OF SETTLEMENT! Enough time and money have been wasted. Please do what you can to make sure that the settlement actually occurs.

MTC-00014535

From: bjacoby@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:34am
Subject: Microsoft Settlement
That Microsoft is a monopoly is clear. It is proved again and again by the lack of competition and the subsequent laziness of Microsoft to provide stable and secure products. They have been able to set the bar so exceedingly low that most people who use personal computers are happy when their computers crash less than usual. We all assume some level of instability because we have been conditioned to accept their mediocrity. Upgrades are forced regularly because the previous versions of operating system and applications are so incredibly poor. This seems more of a practice to ensure good returns to their bottom line than actually improve the quality of the software.

MTC-00014536

From: shailasg@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:34am
Subject: Microsoft Settlement
The settlement suggested by the Department of justice is fair for both sides. Anything done besides is a waste of Tax Payers money to satisfy the personal egos of some individuals. Our economy is heartening enough and one thing we need is a software (Bin laden) with in our own government. The only monopoly that I see is effecting is AOL-Time Warner where I can not have a choice of my Internet Service Provider in New York Area for Cable Connection and have them keep raising the rates everytime.

MTC-00014537

From: ecox0001@midssouth.rr.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:34am
Subject: Microsoft Settlement
Microsoft is a great asset to the WORLD. Just think how bad things would be if there were multiple systems. Microsoft has done more good than any other company. Spend my tax money fighting the ENRON's and Osama bin Laden. GET OFF MICROSOFT's case!!!!

MTC-00014538

From: wherr20009@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:35am
Subject: Microsoft Settlement
I strongly support the Justice settlement with Microsoft. I my opinion this misguided antitrust action never should have been taken by the Clinton Justice Department. It is a relief that more practical clear-headed views now prevail. Hopefully the new Bush administration will be more supportive of our great companies instead of trying to

weaken them. It is not the role of government to intervene in the private sector on behalf of companies that are not sufficiently innovative to survive in the market place.

Let's get this matter settled as quickly as possible and let Microsoft concentrate on doing what it does best unfettered by this litigation.

MTC-00014539

From: sal@metronet.lib.mi.us@inetgw
To: Microsoft ATR
Date: 1/22/02 9:34am
Subject: Microsoft Settlement

I believe that Microsoft still inhibits competitors in their business practices. I don't believe that the remedy is severe enough.

MTC-00014540

From: adamjhecktman@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:34am
Subject: Microsoft Settlement

It is clear that the people of the United States are tired of effort and money being put towards this issue.

The settlement is fair (if not favoring the U.S. and Microsoft's competition) and should be brought to closure by rapid acceptance. Please implement this compromise for the sake of the consumer and general tax-paying public.

MTC-00014541

From: mike-urban@hnc.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:34am
Subject: Microsoft Settlement

Microsoft has used predatory practices at the deliberate expense of other companies to create a monopolistic situation. Many of the judgements that come out of this case will be used going forward on new cases and we need to make sure that a precedent is not set which allow companies to get away with this type of behavior. It impacts everyone of us in many ways. Even a billion dollar fine is insignificant to this company and will not justify the multi billions they have made from it. I am also a Microsoft shareholder.

MTC-00014542

From: hudsonsjeffrey@netscape.net@inetgw
To: Microsoft ATR
Date: 1/22/02 9:35am
Subject: Microsoft Settlement

Over the past few years our Federal government has wasted more money attacking and harassing Microsoft than it spent pursuing Osama Bin Laden and every other terrorist organization known to man.

What a waste of taxpayer resources! As long as a monopoly is operated by the government it is fine. A good example of which are the cable TV and internet services in our local markets. Service is only provided in our community by one carrier due to the local municipality sanction of only that one provider.

The city is rewarded with fees kicked back by the provider. Costs escalate service is poor no competition is allowed. This we are told is fine however because the government sanctions the monopoly.

Competition would of course bring prices down and force carriers to provide better service or forfeit business. Microsoft on the

other hand is one of those many competitors in the market. It prices its product to the market accordingly or it's rivals evaporate their market share. Prices are market driven service if you have a problem is a click or call away. If you ever have requested service you would also note it is very efficient and timely. Let's stop the nonsense and get off Microsoft's case.

Microsoft investment in our economy through its employee payroll corporate tax and charitable donations are unbelievable. All this whining would come to an abrupt halt if they moved their operation into Canada would it not? Microsoft is a successful American business. How refreshing. Quit wasting our money pestering them!

MTC-00014543

From: ktardeaz@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:35am
Subject: Microsoft Settlement

Granted we have had anti-trust law in America for many years. These laws are by their very nature bad for the economic health of individuals and the nation. A true monopoly can only persist through the power of government. Without that power a company must be forever vigilant to competitors replacement technology changing taste or need and numerous other possibilities. . . . including unsuccessful competitors and their attorneys. Microsoft has done everything they could to gain and keep as many customers as possible and in doing so have increased the wealth of and improved the standard of living of millions of people in this country and in the world. And now it seems the governments of the USA and of the individual states intend to punish Microsoft. This is moral and just? . . . No it is un-American.

Sincerely
Franklin Hill

MTC-00014544

From: fakkos@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:35am
Subject: Microsoft Settlement

The settlement suggested by the Department of justice is fair for both sides. Anything done besides that is a waist of Tax Payers money to satisfy the personal egos of some individuals. Lets put this behind us and move on. Our economy does not need to be heart more than what it is.

MTC-00014545

From: lovellre@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:35am
Subject: Microsoft Settlement

this case against msft is a farce based on jealousy not fair competition. It has cost all involved millions and the only benefit has been to posturing lawyers. It is time to stop all of this and to allow innovation and business to progress smoothly. If giving computers to schools etc can create a continuance of this farce then an amount of money to buy competitors machines should be provided. It will be interesting to see what happens to the \$\$\$ in the end they will be buying Microsoft services.

MTC-00014546

From: sitzman@upstel.net@inetgw
To: Microsoft ATR
Date: 1/22/02 9:35am
Subject: Microsoft Settlement

I am the Information Systems Manager for a company that employees approximately 150 people in Minnesota. I am greatly disappointed with the settle between Microsoft and Justice. Microsoft is a monopoly and has used that power to the disadvantage of the consumer. This settlement does nothing to encourage Microsoft to change its business practices and I fully support the nine states that are continuing the fight for a better settlement. We use Microsoft products because we have no choice not because their technology is the best.

MTC-00014547

From: gtmc7@earthlink.net@inetgw
To: Microsoft ATR
Date: 1/22/02 9:35am
Subject: Microsoft Settlement

I believe that this entire lawsuit by the federal government has not been in the interest of americans. They have used our tax money to pursue a company that has been successful. Had Microsoft not been a profitable company our government would not have ever gone after them. I believe that those who have been pushing this law suit at our expense should reimburse the american tax payers. If this could happen to a large company just think what our government could do to small companies. We no longer have free enterprise nor can we establish a competitive business without being penalized. Watchout Americans! Who's Side is our Government on? I love America and I serve in 82nd Airborne in Cambodia during the Viet Nam War for 3 years but I think our government is moving away from having the purpose of upholding and representing the beliefs and interests of its citizens.

Thanks and God Bless.

MTC-00014548

From: ajekiert@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:34am
Subject: Microsoft Settlement

Product design and development is necessary to allow us to move forward in improving business climate and our personal lifestyles. Constant and stringent government intervention will not foster an environment of technological change and therefore must be limited in scope. I support market place competition rather than government regulation.

MTC-00014549

From: sheila.a1travel@wspan.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:34am
Subject: Microsoft Settlement

I am in agreement with the settlement reached between Microsoft and the Federal Government and numerous other state officials to end the law suit filed against Microsoft.

MTC-00014550

From: WSmartshot@aol.com@inetgw
To: Microsoft ATR

Date: 1/22/02 9:35am
Subject: Microsoft Settlement

Judge Kotelly It seems that microsoft has been given abum rap no matter what the courts attempt to prove. like when your company has a patent you have the sole right to manufacture or supply the product to the public for X amount of years. . . Right? so no along come s Bill Gates who tears down the lhm monopoly and puts the computer into the hands of even my grandchildren age 6 to 13. . . Shouldn t this entrepreneur be allowed to market his product against the copycat companies that sprung up from his dream??? I say let him and his company make all the money they want and let the newcomers develop something even beyond the scope and imagination of a Bill Gates. Call it progress or the good old american motto of building abetter mousetrap

MTC-00014551

From: Gil@amraildev.org@inetgw
To: Microsoft ATR
Date: 1/22/02 9:35am
Subject: Microsoft Settlement

The following article sums up my feelings. A Philadelphia radio station posed this question. There are two men both extrwmwly wealthy. One develops relatively cheap software and gives hundreds of millions of dollars to charity. The other sponsors terrorism. WThat being the case why is it that the U.S. Government has speent more money chasing down Bill Gates over the past ten years than Osama bin Laden.

MTC-00014552

From: medora@arkansas.net@inetgw
To: Microsoft ATR
Date: 1/22/02 9:35am
Subject: Microsoft Settlement

I belive the government is wrong. The old saying down here is: Build a better mouse trap and the world will beat a path to your door. Let those who complain do a better job and they will be able to sale more of their product!!!

MTC-00014553

From: rstunek@forbeschocolate.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:35am
Subject: Microsoft Settlement

I find the whole antitrust litigation disturbing from the standpoint that as a software consumer I don t view myself as being harmed by Microsoft s place in the market. We run Windows NT Windows 2000 Windows 98 MSOffice Explorer Publisher etc. And while these programs are not flawless they have increased our productivity immeasurably for a relatively small investment. There have certainly been alternatives to Microsoft products that I could have chosen but we felt that the Microsoft products gave us the most for our money. To penalize a company for being the best in its industry is un-American.

There are no greater barriers to entry in this market than in any other. If someone can offer me a better price/performance combination with their product then I will migrate to it. Linux Sun Oracle are all names that compete with Microsoft but none could meet my needs as closely as the products we purchased. The irony of all this is that I work

closely with an industry that is rapidly consolidating and will do far more to hurt the average consumer than Microsoft ever will yet this monopolistic drive rolls along with the government s blessing. Joel Klein has made a name for himself the government has wasted millions of taxpayer dollars the media has gotten to bash Microsoft—everyone should be happy.

I would also think the DOJ has more important things to worry about right now. So please accept the settlement and put an end to this travesty.

MTC-00014554

From: rturnam@mediaone.net@inetgw
To: Microsoft ATR
Date: 1/22/02 9:35am
Subject: Microsoft Settlement

Antitrust law was intended to protect consumers not competitors. Sun Netscape Oracle et. al. engage in much the same behavior as MS. Why wasn t Novell taken to court when they had the corner on the networking market? Maybe the federal gov t should write a public domain operating system and office suite and give it away. Does anyone really believe you d get meaningful support from the gov t? This is just the politics of envy trying to accomplish in the courts what they couldn t accomplish in the marketplace.

My 2 cents.

MTC-00014555

From: mwillis@core-mark.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:35am
Subject: Microsoft Settlement

I believe it s time to settel the Microsoft matter. It s the right thing to do.

Thank You
Mark Willis

MTC-00014556

From: akbranch@juno.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:35am
Subject: Microsoft Settlement

I would prefer that a settlement which benefits everyone be pursued. Free Enterprise should be encouraged but with responsibility and respect to its competitors.

MTC-00014557

From: stevej@deadsphere.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:35am
Subject: Microsoft Settlement

It's time to get off this non-issue and let the consumer not Apple or Sun decide the future of Microsoft!!

MTC-00014558

From: holtandassoc@ix.netcom.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:35am
Subject: Microsoft Settlement

Let it go enough of the tax payers money has already been waisted. I would bet that most of the PC in use by the prosecutors are using Microsoft products! Without Microsoft the capabilities computers have today would be 10 years off still.

MTC-00014559

From: e—flehling@hotmail.com@inetgw

To: Microsoft ATR

Date: 1/22/02 9:35am
Subject: Microsoft Settlement

I would like to see the current settlement stand. I think any more court action regarding this case is unnecessary and costly and would serve no worthwhile purpose.

MTC-00014560

From: gfullert@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:35am
Subject: Microsoft Settlement

I am deeply concerned that the continuation of this litigation will be detrimental to the economy and in particular the telecommunication and information related sectors. I feel that the settlement that was reached was in the best interest of all of the people in the US and the failure to reach a settlement could have negative impact on our national economy.

MTC-00014561

From: lcparks@essex1.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:35am
Subject: Microsoft Settlement

On behalf of myself and citizens of the U.S. I would think it would be to our best interest to get this settled and get our economy going again. I also think that the settlement proposed by microsoft is also more than adequate.

Thank you for your time.
Chuck Parks

MTC-00014562

From: Schreck, Paul CONT (NASKW 191)
To: "microsoft.atr(a)usdoj.gov"
Date: 1/22/02 9:56am
Subject: Microsoft Settlement

To whom it may concern,
As an Information Technology professional, a US Navy veteran and a citizen of the United States, I feel the proposed settlement if the Microsoft Antitrust case to be a great disservice to the American consumer. The proposed remedies are little more than a 'slap on the wrist'. To truly promote fare competition in the Operating Systems/software market, much stricter constraints must be placed upon Microsoft. My recommended remedies are as follows:

1. Open & standardize the Windows API and file formats:
The Windows API (or "Applications Programming Interface") is the set of instructions that Windows applications/ programs use to "talk to" the operating system. Microsoft provides these APIs to 3rd party software vendors in order for them to develop applications for Windows. However, it's widely known that Microsoft often 'fiddles' with the API, changing things that break competitors' products. For instance; if a competitor developed a multimedia application, which competes with Microsoft's own Windows Media Player (such as RealPlayer or QuickTime), Microsoft can easily alter the Windows API to allow these competing products to no longer work properly. It's also known that Microsoft's own programmers take advantage of so-called 'hidden APIs' that non-Microsoft developers can't use.

Microsoft's file formats also need to be opened. That is, file formats for it's MS Office applications (Word, Excel, PowerPoint and Access), Windows Media format, along with any other proprietary formats, need to be standardized and publicized. This would allow competitors to build Windows software applications, and operating systems, that compete with Microsoft on a level field.

2. Compliance & adherence with open standards:

The Windows operating system uses many, "Microsoft only", proprietary formats and technologies, that make it incompatible with competing products. For instance, Microsoft uses an API called "Direct 3D", for all its 3D development/rendering. Direct 3D is only usable on a Windows operating system. If an application were written using Direct 3D, all other operating systems would be unable to take advantage of it. An alternative product such as "OpenGL", would be a much better solution, as it is vendor-neutral and governed by a standards committee. In fact, Apple Computer made OpenGL the basis of its 3D API in their new operating system, "Mac OS X". Indeed, there are many open source/vender-neutral APIs that could be used in place of Microsoft's proprietary ones.

With Microsoft's APIs and file formats fully standardized, documented and published, and having Microsoft adhere to open, industry standards, other software vendors could compete fairly.

Regards,

Paul J. Schreck

Paul J. Schreck

Lead Computer Technician

Naval Air Station, Key West

CC: 'microsoftcomments(a)doj.ca.gov',

'attorney.general. . .

MTC-00014563

From: Roy Steffey

To: Microsoft ATR

Date: 1/22/02 10:13am

Subject: Microsoft Settlement

On 1/21/02 i faxed a copy of the letter to Attorney General John Ashcroft and a copy to Rep. David E. Bonior.
signed Roy Steffey

MTC-00014564

From: Kevin Ryan

To: 'microsoft.atr(a)usdoj.gov'

Date: 1/22/02 10:15am

Subject: "Americans for Technology Leadership"

As I'm sure you're aware, Microsoft has started an "association" (the title is in the subject line)—actually a captive lobby of MS and whoever it could pressure into lending names, as far as I can tell—to encourage (pro-Microsoft) comment on their case/settlement. At their web site (<http://www.techleadership.org/5010/>), they have a mechanism for posting comments which will supposedly be posted to the address I'm sending this to. Yesterday (1/21/02) I posted some comments disparaging Microsoft's business practices, and questioning its commitment to software innovation. I thought that you might be interested in checking to see if you receive them; I know I am curious, since I would not rule out the possibility of filtering in the forwarding

process. The return address associated with my comments will be the same as the one at the bottom of this note.

The thrust of my comments was that Microsoft got off easy, and that it perniciously exploits its market dominance to stifle potential software competitors and to coerce manufacturers into pre-installing its software, and that the overall effect is to guarantee only MS the opportunity to innovate, as well as to guarantee that they only need to innovate just enough to sell updated versions of their products. If their practices aren't illegal, they should be, but I know that's outside of DoJ's area of responsibility.

Please feel free to forward this to any other government officials seeking public comment on Microsoft. Be aware that these are my own views, not necessarily those of my company. But also be aware that I am a network administrator, with several years' experience with Microsoft software, and a good deal of knowledge of the software industry.

Kevin Ryan

kevin_ryan@ceiltld.com

MTC-00014566

From: nothanks@aol.com@inetgw

To: Microsoft ATR

Date: 1/22/02 10:11am

Subject: Microsoft Settlement

I think it was fair to the entire computing industry.....

MTC-00014567

From: meyerforest@aol.com@inetgw

To: Microsoft ATR

Date: 1/22/02 10:11am

Subject: Microsoft Settlement

It is time to get on with things that are more important than exerting regulatory control over Microsoft. I believe Microsoft's products and services have benefitted us (consumers) rather than harmed us.

MTC-00014568

From: billeast@cfl.rr.com@inetgw

To: Microsoft ATR

Date: 1/22/02 10:11am

Subject: Microsoft Settlement

There's another issue that no one is taking Microsoft to task for. . . that is in regard to the new XP operating system. Users who purchased it can be denied use of the product and caused hard trouble to get a fix from Microsoft if the software thinks you are trying to steal it. But that event is so easily triggered that many innocent and legal users will experience denial of use of the product just because they changed components in their computer. It is shameful that Microsoft is so protective of the rare instances of copying that they put their legitimate customers to so much trouble. This copy protection scheme should be required by government to be removed or softened so that it is less drastic.

MTC-00014569

From: tim.balder@hickorytech.com@inetgw

To: Microsoft ATR

Date: 1/22/02 10:11am

Subject: Microsoft Settlement

I think Microsoft is getting off easy. If it is to go through the settlement will GIVE Microsoft an unfair advantage in the schools

over Apple. I also remember years ago when IBM was trying to do the same thing. They lost their case as so should Microsoft.

MTC-00014570

From: rtanner@quannon.com@inetgw

To: Microsoft ATR

Date: 1/22/02 10:11am

Subject: Microsoft Settlement

Well done. Thanks for speeding things up and getting to a conclusion.

MTC-00014571

From: dhey1@hey1consulting.com@inetgw

To: Microsoft ATR

Date: 1/22/02 10:11am

Subject: Microsoft Settlement

It's a good deal for all those involved.

MTC-00014572

From: Patricia.Spaleta@i21.com@inetgw

To: Microsoft ATR

Date: 1/22/02 10:11am

Subject: Microsoft Settlement

Enough is enough the settlement agreement needs to be enforced without wasting any more time and money to the public. Everyone seems to be in agreement that the settlement was fair and I hope that no more taxpayers' money is wasted on this. Let's get this done!

MTC-00014573

From: lottza—wivez@hotmail.com@inetgw

To: Microsoft ATR

Date: 1/22/02 10:11am

Subject: Microsoft Settlement

It is time to settle a lawsuit that should never have been tried in the first place. The competition was poor and the claim of unfair business practice was fuzzy at best. Close the books on it soon please.

MTC-00014574

From: rmcgill3@neo.rr.com@inetgw

To: Microsoft ATR

Date: 1/22/02 10:11am

Subject: Microsoft Settlement

Microsoft has done more for American Industry and the American People over the last 10 years than most companies do during their entire existence. They offer superb products at fair prices. Unfortunately their whiney butt cry baby competition has seen fit to enlist the Zealot Federal regulators to further their own causes instead of competing on a straight up basis. In my opinion the President of the U.S. should issue an Executive Order to the Federal Trade Commission & the appropriate Judiciary directing that all charges against Microsoft be dropped and further that Microsoft be allowed to bring suit against both Federal & State Governments for damages. It seems strange to me that the same regulators that are trying to destroy Microsoft are sitting on their hands and doing nothing while foreign interests are being allowed to destroy our steel industry. I AM AN AMERICAN AND THERE IS NO DOUBT IN MY MIND THAT WE ARE THE GREATEST COUNTRY THAT HAS EVER BEEN OR EVER WILL BE. THE REASON FOR THIS IS NOT FEDERAL REGULATION BUT IS FREE ENTERPRISE AND THE HEARTS SOULS AND TENACITY OF THE AMERICAN PEOPLE.

MTC-00014575

From: ccbannister@home.com@inetgw

To: Microsoft ATR
Date: 1/22/02 10:11am
Subject: Microsoft Settlement

I believe that it is in the best interest of the consumer to settle the Microsoft issue. Microsoft has done nothing that is against the interests of the public. Wasting more of my tax money on pursuing Microsoft to benefit companies like Sun Microsystems and others who have difficulty competing because they have inferior products. The market will take care of Microsoft. When they fail to produce a product that the public wants to buy they will no be able to sell it. Going back to the days of multiple operating systems is not in the best interest of the consumer and makes programming from a professional point of view more of a headache. Settle the issue and quit wasting my tax dollars that could be better spent elsewhere.

MTC-00014576

From: parkrs@swbell.net@inetgw
To: Microsoft ATR
Date: 1/22/02 10:11am
Subject: Microsoft Settlement

Clearly the original anti-trust action was politically motivated. Now we are faced with a hobson s choice.

Therefore I concur with the proposed settlement.

MTC-00014577

From: Bagher_Sarabi@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/22/02 10:11am
Subject: Microsoft Settlement

Let s put an end to this lengthy case and prevent wasting more tax payers moneies. Thanks.

MTC-00014578

From: larryf@manatts.com@inetgw
To: Microsoft ATR
Date: 1/22/02 10:11am
Subject: Microsoft Settlement

Leave Microsoft alone and go after some real criminals with our tax dollars.

MTC-00014579

From: smiller@tulsa.net@inetgw
To: Microsoft ATR
Date: 1/22/02 10:11am
Subject: Microsoft Settlement

I am pleased that the Judge put an end to this long and costly suit. I feel Microsoft has made the computer available to the average citizen with an easy-to-use product. If the competition cannot produce equal or better software that is their fault. Government has no place in the supply and demand market.

MTC-00014580

From: kmaljak@washingtontimes.com@inetgw
To: Microsoft ATR
Date: 1/22/02 10:11am
Subject: Microsoft Settlement

The Microsoft settlement seems fair. I would encourage the Justice Department to accept it.

MTC-00014581

From: Dornasor@bu.edu@inetgw
To: Microsoft ATR
Date: 1/22/02 10:11am
Subject: Microsoft Settlement

I support the Massachusetts position of not agreeing to the general settlement. I think the current settlement favors Microsoft at the expense of the consumer compeditors and the American public.

MTC-00014582

From: jrooste@yahoo.com@inetgw
To: Microsoft ATR
Date: 1/22/02 10:11am
Subject: Microsoft Settlement

Basically the settlement is a slap on the wrist!

MTC-00014583

From: jhowasso@swbell.net@inetgw
To: Microsoft ATR
Date: 1/22/02 10:11am
Subject: Microsoft Settlement

I am a retired telephone company manager. I feel that the entire problem we are having with tech stocks in particular and all stocks in general started with the Justice Dept s persecution of Microsoft. Why can't a company be large innovative and successful without being criminal? It used to be the American Way. This is another of Bill Clinton s legacies. Thank God and the Supreme Court that it wasn t continue with Al Gore.

MTC-00014584

From: ACcaggiano@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 10:11am
Subject: Microsoft Settlement

I think the settlement is too easy on Microsoft and I can not see anything that leads me to believe that it will stop Microsoft from doing the same thing again. Already MS has stopped people who weren t using Internet Explorer for accessing specific sites. MS needs to see that what they are doing is wrong and not in the best interests of the public. Thank you.

MTC-00014585

From: thartman-aci@prodigy.net@inetgw
To: Microsoft ATR
Date: 1/22/02 10:11am
Subject: Microsoft Settlement

Microsoft is and has never been a monopoly. During the Clinton administration they saw a company that was extremely succesful and the left wanted a piece of that money like usual. They have no reason to be involved or break-up divide or try to run their business. They have contributed to this economy they pay high taxes they have created many many jobs. The case should be dropped not settled and the government should pay them a big apology for the left wings greed for power from money.

sincerely

Thomas R. Hartman
Arlington Heights Il.

MTC-00014586

From: rickluc@home.com@inetgw
To: Microsoft ATR
Date: 1/22/02 10:12am
Subject: Microsoft Settlement

Dear Sir/Madam:

Please let the Microsoft settlement with the government stand. It is a fair settlement between the Government and Microsoft.

Thank You

Richard Lucas

MTC-00014587

From: lowellmj@earthlink.net@inetgw
To: Microsoft ATR
Date: 1/22/02 10:11am
Subject: Microsoft Settlement

I strongly endorse the U.S. vs Microsoft settlement. It is time to put this issue aside and get on with the peoples business.

MTC-00014588

From: caudo@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 10:12am
Subject: Microsoft Settlement

I believe the case should be settled as proposed. The settlement should bind the other state suits to be settled also. Put an end to this and lets get back to busniss.

MTC-00014589

From: mwyllie@abccentralflorida.org@inetgw
To: Microsoft ATR
Date: 1/22/02 10:11am
Subject: Microsoft Settlement

I am a personal and business customer of Microsoft as well as several other software companies. I would urge the government to reach a prompt settlement with Microsoft and accept the proposed consent decree. Prolonged litigation is not in the best interest of software consumers the public or the government. The original litigation and district court decision did little to calm the financial markets either. The government should be encouraging free enterprise and open competition. The resources expended on further Microsoft litigation would be much better spent on debacles like Enron.

Thank you for your consideration of my opinion.

MTC-00014590

From: jimbrown3@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 10:12am
Subject: Microsoft Settlement

Time to get on with it. There are more important things to devote time energy and taxpayer s dollars to than stifling creativity. ACCEPT THE SETTLEMENT.

MTC-00014591

From: kphillips@tippertie.com@inetgw
To: Microsoft ATR
Date: 1/22/02 10:11am
Subject: Microsoft Settlement

Has there been any other company that has done so much for the economy and the people of this great country in such a short period of time? I think not. Mr Gates created an idea (Microsoft Inc.) that has helped us all in one way or another thru better jobs higher pay self-esteem and a wider of technological advances thru the use of their software. I am for the resolution of this matter as soon as possible.

Thank you.

MTC-00014592

From: ken@abullseye.com@inetgw
To: Microsoft ATR
Date: 1/22/02 10:11am
Subject: Microsoft Settlement

This case has many issues that blur the overwhelming need to get it over with. A fair

settlement was reached but the states representing the businesses that are unable to compete in a very competitive industry are seeking to legislate an unfair advantage for themselves. That is not what America is all about.

America is a FREE Market economy. Let the free market determine the winners and losers. The longer this case goes on the larger is the damage to my faith in the US legal system to successfully resolve this issue. Enough is enough! Get it over with! Free Microsoft of the shackles that are holding it back from maintaining America's leadership in this industry!

MTC-00014593

From: TG-YNCH@MEDIAONE.net@inetgw
To: Microsoft ATR
Date: 1/22/02 10:12am
Subject: Microsoft Settlement

PLEASE DO NOT PENALIZE A SUCCESSFUL BUSINESS. Microsoft has been good for the consumer the investor and America. As a voter and a taxpayer I urge that this matter be settled fairly and speedily. I put my faith in the company years ago. Please do not turn it into another Enron.

Thomas G. Lynch

MTC-00014594

From: pholland4@mindspring.com@inetgw
To: Microsoft ATR
Date: 1/22/02 10:12am
Subject: Microsoft Settlement

I would like to see the Microsoft case settled. It is costing the tax payers money and hurting the economy.

Pete Holland

MTC-00014595

From: lhuff@prodigy.net@inetgw
To: Microsoft ATR
Date: 1/22/02 10:11am
Subject: Microsoft Settlement

Enough is Enough. Settle this case now and let the good people of Microsoft get back to work.

MTC-00014596

From: JP1957@AOL.com@inetgw
To: Microsoft ATR
Date: 1/22/02 10:11am
Subject: Microsoft Settlement

In reference to Mr. Gates Problem: I think the Federal Government went too far in regards to Microsoft!

I have heard all my life—build a better mouse trap and people will run to your door. I believe Mr. Gates built this mouse trap!! The Federal Government should back off Microsoft!! Case in Point: Banks are getting together and making a great big bank—This could be very bad for the taxpayers if they fail.

However the Government is doing nothing about these mergers. I believe Mr. Gates forfeited the American dream and The American Government should get out of his face. I do not believe there was any wrong doings—so there should be nothing to settle.

MTC-00014597

From: cctimber@msn.com@inetgw
To: Microsoft ATR
Date: 1/22/02 10:12am
Subject: Microsoft Settlement

I endorse the settlement called the Tunney Act.

MTC-00014598

From: joecynthia@yahoo.com@inetgw
To: Microsoft ATR
Date: 1/22/02 10:11am
Subject: Microsoft Settlement

I believe the proposed Microsoft antitrust case settlement is a fair and reasonable compromise and is in the best interest of everyone—the technology industry the economy and especially the consumers.

Please support this settlement.

MTC-00014599

From: sbrod@snip.net@inetgw
To: Microsoft ATR
Date: 1/22/02 10:12am
Subject: Microsoft Settlement

Please settle the case against Microsoft quickly and efficiently. Do not disrupt this country's technology leadership with unnecessary lawsuits or judgments that hamper innovation.

MTC-00014600

From: berkenbile@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/22/02 10:12am
Subject: Microsoft Settlement

I feel the anti-trust case against Microsoft was political and unwarranted. The suit was to protect competitors to Microsoft not to protect Consumers. That being said I know other feel differently. I strongly believe the settlement is a good compromise and should be embraced. If it is not it could have negative effects on everyone.

Thanks

Dave J Berkenbile

MTC-00014601

From: farkus2
To: Microsoft ATR
Date: 1/22/02 10:23am
Subject: Microsoft Settlement

To whom it may concern:

In regards to the U.S. vs. Microsoft court case, I urge the government to seek stiffer penalties against Microsoft for their anti-competitive practices. As a consumer of Microsoft products and worker in the IT field, it is frustrating to have pc's crash and a buggy windows operating system. The consumer can only benefit by the break up of Microsoft, or something as forceful, that would allow other companies to compete on a even playing field. For Microsoft to own and market the windows operating system and create products to run on this OS is in my opinion unfair to competing software companies. This advantage I am sure is used to ensure that Microsoft products are "compatible" and competing software find their performance degraded.

Also having more competition can only drive prices down and quality up. Microsoft is notorious for releasing buggy software early and then fixing it later. Often selling them as "upgrades". I wish they would create an OS that would just work well and not include all the extras that Microsoft thinks everyone needs.

Please do not let this company off with a hand slap. Doing so would only reward its ruthless behavior.

Thank you.

Sincerely,

Robert Marshall

MTC-00014602

From: Edson Mena
To: Microsoft ATR
Date: 1/22/02 10:21am
Subject: Microsoft Settlement
CC: activism@moraldefense.com@i-
inetgw, letters@capitalis. . .

MTC-00014603

From: Bokor1933@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 10:26am
Subject: Microsoft Settlement.

Dear District Court Judge, Microsoft should not be punished in any way whatsoever. It should be honored and congratulated. At the least, the government should apologize to Microsoft for persecuting—yes persecuting—that company.

I have been appalled at the government's treatment of one of our most productive enterprises. We should be honoring Microsoft for good work, for raising our standard of living, for increasing employment, for widening the circle of job opportunity, for offering at fair market value products that enhance our lives, for continually expanding our ability to work and play. Microsoft extends each of our lives in countless ways. Microsoft doing its business in freedom and without government interference is in my self-interest, as it is in yours and each US citizen's.

I do hope that the Antitrust laws will be abolished completely. They work only to destroy our country and its economy.

Sincerely,

Sylvia Bokor

CC: activism@moraldefense.com@inetgw

MTC-00014604

From: Robert Bero
To: Microsoft ATR
Date: 1/22/02 10:25am
Subject: Drop It Sir/Madam:

As a supporter of free enterprise (and the non-violent exercise of economic rights) I recommend the government drop its suite against Microsoft completely. I would also ask that the SEC be refocused on the task of providing Congress with recommendations on how they can eliminate all anti-trust legislation now on the books.

Sincerely,

Robert Bero

Xenia, OH

rabero@voyager.net

MTC-00014605

From: John.Fraser@hti.htch.com@inetgw
To: Microsoft ATR
Date: 1/22/02 10:43am
Subject: Microsoft Settlement

Monetary penalties are not the solution for Microsoft. It's like asking a farmer who has 4000 bushels of corn to pay the 10 bushels; a drop in the bucket. The crime is similar to a illegal monopoly. The only solution is to hurt it's market share (of which it's illegal acts helped increase). I few suggestions on how this can be accomplished:

Offer competitor machines to school and have Microsoft flip the bill. AKA Apple (computers), Linux and Unix (servers).

Allow Microsoft to continue current operations but force a price increase in the software (a tax that can go towards all schools.

I don't have all the answers but as a computer user for 75% of my life I understand the need to keep a competitive edge on all fronts including software. Imagine a software company so powerful that Unix Linux and others must be given away free for people to even consider using them. Bottom line, it's unfair to the economy to continue to have Microsoft operate as they plan. Big changes are needed and I suggest action is taken soon. The same issues of which this legal battle started with have only tripled in degree from 2+ years ago.

Thank you for your time and please feel free to include this e-mail in any documents you may need.

John Fraser
Hutchinson Technology
(320) 587-3797
x5348

MTC-00014606

From: Dave Doran-Marshall
To: Microsoft ATR
Date: 1/22/02 10:45am
Subject: Microsoft Settlement

Without going into a multipage document about Microsoft, I will try to sum up by ideas quickly, as you all must have lots to read already.

?MS is a company that has used business practices in the past which are illegal, or at the very least strongarm tactics.

? Much of MS's success is derived from it's constant ability to twist and stretch the rules to its own good. MS is a machine, based on marketshare and \$\$.

? Companies which are innovative have been shut out by MS, either by buying them or changing their own products to render the innovative ones obsolete, inoperable, or out of the public's mind.

?Most MS products work, but not very well. The entire IT industry is based on the inability of windows and other MS products to work well with others. Look at systems like Linux or the Mac. Mac marketshare is 5% or so, but the IT industry supporting macs is 1/10 that which supports MS products (ie 10 techs to support every 100 Windows Machines, 1 tech to support every 100 Macs)

The inherently flawed systems produce a cyclical motion of buy MS product, get someone to fix it, buy something else, get someone else to fix it. Reminds me of social communes in which factories built cars, that there was no market for, then got paid to take them apart, then reassemble once more. . .

?Microsoft creates the idea in people's minds that there's nothing else out there. In this way, people don't argue to buggy software, or pricey upgrades. They have been sold long before the purchase is made.

? Recently Apple introduced OS X (pronounced Ten). Several months later, MS introduced Windows XP. This is a small infraction that simply adds to the long list of white lies and "thanks we'll borrow this for a sec" day to day actions from MS.

If you bought a washing machine, would you not expect it to work for years before having someone come out to service it? Why are personal computers different?

MTC-00014607

From: Ganesh and Sashikala Prasad
To: Microsoft ATR
Date: 1/22/02 10:46am
Subject: Microsoft Settlement
23 January 2002

Dear Sirs,

I wish to submit my comments (attached) to the database of public feedback on the proposed settlement between the Department of Justice and Microsoft, which must reach you before the 27th of January.

I am submitting them in both plaintext and HTML formats for your convenience.

Regards,
Ganesh Prasad

Comment on Microsoft antitrust settlement
Sydney
1 January 2002

Dear Sirs,

I am an Australian citizen with about 15 years in the computer industry. What happens in the US vs. Microsoft antitrust case affects me professionally as well as personally, since I am a fairly heavy user of computer software and technology. I would like to comment on the settlement jointly proposed by the Department of Justice and Microsoft. To be blunt, I believe the proposal is a dishonest one that sells out the public interest. I will explain why, and offer some guidelines for a fairer remedy.

1. Microsoft's main crime (not bundling, but the prevention of bundling) has had lasting anti-competitive effects that the settlement should address but doesn't. The argument that has most often been used against Microsoft is the "bundling" one, the allegation that Microsoft bundled its browser (and now its media player and instant messaging software) with its operating system. By doing so, it leveraged its monopoly in operating systems to enter other markets. Though this is a classic antitrust argument, people who believe in a free market are not convinced because the remedy does not sound right from the standpoint of the consumer interest. Consumers enjoy greater convenience, not less, when extra software is bundled with the operating system they buy. That is why the harsher remedy proposed by some of the states is also wrong. Forcing Microsoft to unbundle such software needlessly inconveniences the consumer. It also takes away from Microsoft's legitimate right to decide what goes into its products and puts the courts in the avoidable position of having to define the scope of technologies such as operating systems when they are not technically qualified to do so. The only parties that are benefitted by such a remedy are competitors. Doesn't this add credibility to Microsoft's claim that its competitors are inefficient and require government intervention to survive?

However, the prosecution has failed from the start to argue this point with the right emphasis. What Microsoft did that seriously disadvantaged the consumer was not so much bundling its own browser with its operating system, but preventing computer

resellers (OEMs) from offering consumers a choice by bundling competing browsers such as Netscape Navigator. Microsoft threatened OEMs such as Compaq with the withdrawal of their Windows 95 license if they dared to bundle Netscape Navigator with the PCs they sold. Given the overwhelming dominance of Windows 95 in the operating system market at that time, a withdrawal of that license could have bankrupted even an OEM as large as Compaq. The threat was credible and secured the compliance of all OEMs. So certainly, Microsoft did leverage its monopoly in operating systems to gain entry into the browser market, and it did so both through the relatively benign means of bundling its own browser, and by the decidedly illegal means of preventing consumers from sampling the wares of its competitors. Any free market advocate can readily see the consumer harm in this latter action of Microsoft's, but the prosecution has damaged its own case by not emphasising this enough.

Microsoft has also had secret agreements with OEMs that prevent them from offering consumers the choice of which operating system to boot when they start up their computers. This is often known as the "bootloader clause". Microsoft abused its monopoly in operating systems by threatening OEMs and blocking, at the source, the entry of other operating systems into the market. Consumers have had no opportunity to know about or sample competing operating systems. In other words, Microsoft abused its operating system monopoly to maintain that monopoly, which is another violation of antitrust law. The fact that no OEM except IBM dared to testify against Microsoft during the trial is itself proof of Microsoft's terror tactics. Their silence speaks louder than any testimony.

Microsoft's history is full of such anti-competition and anti-consumer actions. Bristol Technology won a case against Microsoft (over Microsoft's sudden withdrawal of support for their Unix interoperation software Wind/U) but was awarded a laughably poor compensation of one dollar. Caldera had a strong case against Microsoft (over the illegal way in which Microsoft used Windows 3.1 to force consumers to buy MS-DOS rather than Caldera's DR-DOS) but its silence was bought through an out-of-court settlement. The consumer has been the ultimate loser in all these cases because Microsoft's actions removed competitive choice and interoperation options.

The DOJ's proposed settlement shows an awareness of these abuses and aims to prevent their recurrence, but it needs to be far stronger and bolder. The damage to the industry has been done systematically, over more than a decade, and significant network externalities have been created that work to perpetuate the Microsoft monopoly. How can this damage be reversed by a mere forward-looking arrangement? Consumers and Microsoft's competitors now face nearly insurmountable market hurdles to creating a viable alternative computing environment, even though technically good alternatives are available. Even if Microsoft's abuses are halted, the structural and systemic forces

they have created over the past decade will continue to work in their favour. At a time when consumers look to the government to right these historical wrongs, the settlement that the government proposes is inexplicably defeatist. It resigns consumers to the status quo! One would imagine that a prosecution that has had its argument upheld by two courts would have the momentum, confidence and real power to broker a deal that restores genuine choice to the consumer, not step lightly around an entrenched monopoly that was the problem to start with.

2. A criminal should not be allowed to keep his ill-gotten gains

Microsoft's monopoly profits are the direct result of these and other illegally anti-competitive tactics.

The antitrust case established that the absence of competition emboldened Microsoft into charging \$89 for Windows instead of \$49. In other words, consumers paid extra merely because of a monopoly that was being illegally maintained.

Four eminent economists filed an amicus curiae brief during the remedies phase of the trial in which they showed that Microsoft's rate of return on invested capital was 88%, while the average in other industries was about 13%! [See www.econ.yale.edu/~nordhaus/homepage/Final%20microsoft%20brief.pdf]

Microsoft could never have made such huge profits without its illegal maintenance and extension of its monopoly, and therefore a major part of its current wealth is illegally earned.

There is absolutely nothing in the proposed settlement that addresses the issue of these ill-gotten gains, or how these will be reimbursed to the public from whose pockets they came. This simple omission easily amounts to billions of dollars, and by itself makes the settlement a sellout of the public interest, even without an assessment of its other shortcomings.

3. Ill-gotten gains should not be allowed to influence the outcome of this case It is disturbing to read that many states are settling because they are running out of funds to pursue the case further as they would like to. Meanwhile, Microsoft, with its multi-billion dollar war chest, has no such constraints. They can outlast all their opponents. The world is learning the cynical lesson that the American justice system is a mere extension of the free market—you get as much justice as you can afford to pay for.

What happened to the principle (so successfully applied in the Al Capone case) that criminals should not be able to use their ill-gotten gains to pay for their legal defence? Wouldn't a scrupulous application of that principle prevent the distortion we see here? If a convicted abusive monopolist has more funds than its prosecutors, and that fact is forcing them to settle, can't the monopolist's funds be frozen, or can it not be made to pay the legal costs of its prosecutors? A simple ruling along those lines might see Microsoft scrambling to agree to a fairer settlement, one that will better safeguard the freedom of the consumer.

4. There is no attempt at punishment for wrongdoing

Though it has been established that Microsoft has repeatedly broken the law, the

settlement only defines mechanisms to prevent future wrongdoing. What about punishment for past wrongdoing? Are murderers let off scot free with mere provisions to prevent future murders? What kind of example does this set? And what confidence does this inspire in the American justice system? Any remedy must include appropriate punishment.

5. The economy is being used as a bogeyman to prevent punishment

It is being argued that in the current difficult economic climate, Microsoft should not be broken up or otherwise punished, because that will in turn affect the rest of the economy (through a fall in the stockmarket index, a delay in the recovery of hardware sales, more unemployment and hardship, etc.). On the contrary, the lessons of Economics are that monopolies are always bad. They reduce efficiency, innovation and economic activity. In other words, Microsoft's monopoly has already affected the economy adversely. An end to the Microsoft monopoly may result in some churn, but that churn will be the ferment of genuine innovation from the rest of the industry. The impact on the stockmarket from a fall in Microsoft's share price will be more than offset by the rising stocks of independent software companies that can operate without fear of a monopolist's wrath. A decisive curbing of Microsoft's stifling influence will create more confidence in the rule of law, generate more jobs and help the economy.

Therefore, it is dishonest and self-serving on the part of the DoJ to suggest that this settlement proposal is the best one from the viewpoint of the economy. Moreover, the state of the economy should not determine whether or not a crime should be punished.

It takes a statesmanlike judge to see beyond the petty posturing and to do the right and wise thing.

Guidelines for a fair remedy:

Any remedy in a case that has been so clear-cut in its findings must be more assertive in its defence of consumer interests. Regardless of specifics, such a remedy must address the following:

1. Recurrence: Microsoft must not be able to continue to abuse its monopoly the way it has in the past.

2. Reimbursement: Microsoft has no right to retain the excess profits it has earned as a result of its illegal actions. This money should be repaid to the consumer.

3. Reparations: As Microsoft is responsible for the current uncompetitive market in operating systems and related applications, it must underwrite efforts to restore competition and consumer choice. The rest of the market should not have to pay to recover from Microsoft's abuses.

4. Reference: Microsoft must pay punitive damages over and above its reimbursement and reparations obligations, to serve as a warning to deter future monopolists. The remedy must in no case send out a signal that a large enough violator can get off lightly. Future tax dollars can be saved by discouraging abuses instead of having to prosecute them.

The DoJ is supposed to be acting on behalf of the consumer, and they must pursue a remedy that addresses all the above issues.

For example, a remedy that required Microsoft, among other things, to only sell through channels that offer at least one other operating system, could address the reparations issue and break the structural forces perpetuating their monopoly (If an OEM requires training to support another operating system, Microsoft may be forced to subsidise such training).

The proposed settlement goes partway towards addressing the issue of recurrence, but does so only half-heartedly because it creates significant exceptions and loopholes for Microsoft to take advantage of. It completely ignores the other three issues. An impression is created that the DoJ is more sensitive to Microsoft's interests than to the interests of consumers who have been systematically robbed of both their choices and their money.

Therefore this proposed settlement must be rejected as not being in the public interest.

History will be the judge

After the immediate tumult over this case dies down, there will be a dispassionate analysis of all aspects of the Microsoft phenomenon in the computer industry, and the roles of all players will be dissected. It seems fairly certain that the Department of Justice will be likened to a champion boxer who was paid to throw his fight. Judge Jackson will probably be faulted for his many indiscretions, but it may be remembered that his analysis was on the mark, and his verdict fearless. The appeals court will probably be remembered as being fair though it started with a reputation for being consistently lenient towards Microsoft.

What will Judge Kollar-Kotelly be remembered for? Will she be known as the one who meekly accepted an agreement that sold out the public interest, because it was politically expedient to do so? Or will she be remembered as the person who braved the prevailing political winds to do the right thing and restore balance to a corrupted system?

The world is watching to see what she will do. Regards,

Ganesh Prasad
Software developer and web architect
3/1 Doomben Avenue
Eastwood, New South Wales 2122
Australia
Tel: +61-403-902-483
e-mail: sashi@easy.com.au

MTC-00014608

From: John Schreiber
To: Microsoft ATR
Date: 1/22/02 10:46am
Subject: No Deal

Microsoft must pay a significant cash penalty to DOJ in exchange for this emasculated settlement offer.

The DOJ's cost of prosecution is what I would consider the minimum acceptable amount.

John Schreiber

MTC-00014609

From: Anthony Myers
To: Microsoft ATR
Date: 1/22/02 10:33am
Subject: my opinion

My name is Anthony Myers. I work for a company called Service Is Us, Inc. in

Chicago, IL doing general administration. A majority of my job is payroll, however I do make most of the recommendations for our IT system, and I make sure that our network keeps running as it should. In addition, I am training on the side for a career change to be a programmer. I have just a few small observations that I have made with regard to all the "controversy" surrounding Microsoft that I wish to share. In working for a small business, I have had the pleasure of exploring new software trends that come our way, as well as advising the owner on new purchases. Our network server runs on Windows NT 4.0 using Citrix ICA client stations. Although we have had the opportunity to explore many options, it seems that Microsoft has designed their operating systems to intertwine so much with their own applications software, that it is virtually impossible for us (a small company without a full-time IT person) to implement non-Microsoft applications to their full capabilities when the operating system so heavily favors its "own kind" Finding software that often better fits our needs, ends up being futile because it would end up being alone in a Microsoft world that does not cooperate. What started off as being a pleasure—looking at new software—ends up being a waste of time.

The other effect Microsoft's monopoly has on us stems from the consumer market. Since this huge monopoly is able to flex its billion-dollar muscles with all of the pc manufacturers, the general public (that are not software experts) end up buying, in every case, new pcs loaded with some version of Windows bundled with none other than Microsoft Applications. The average individual going to a discount store such as Best Buy or Circuit City is not given the opportunity to select basic software, they are going to just use that which comes "free" with the computer (not realizing that Microsoft did indeed charge them for it, further up the supply chain). Since people in the past 5–10 years have become so accustomed to this hand-in-hand software bundeling, they do not become exposed to anything else. The manner in which this affects a small business now days, is that if we were to choose non-MS Office software, we would also have to spend the money to train our office staff. With each passing day, Microsoft becomes more and more dominant and tightens its grip on the entire industry, both consumer and business (and each one does influence the other).

These are just the observations of one individual being written down, but I know they exist to some extent in small business across the country. Microsoft should not be allowed to use its dominance in operating systems to feed its growing monopoly on the applications software market, which in turn feeds its growing power in business systems and networks, which in turn ADDITIONALLY feeds the monopoly in software, and back and forth, and back and forth. Will we NOT be happy until this entire country becomes the United States of Microsoft?

Anthony Myers, Office Manager
Service Is Us, Inc.
5347 N. Clark Street

Chicago, IL 60640
773–784–2225
fax:: 773–784–6128

MTC-00014610

From: Dave Sopchak
To: Microsoft ATR
Date: 1/22/02 10:49am
Subject: Microsoft Settlement

Dear Sirs and Madams,
As citizen of the United States, I would like to weigh in with my opinion on the U.S. vs Microsoft trial and judgement: That Microsoft has been found guilty of abusing its monopoly power, first by Judge Jackson, and having that opinion unanimously upheld by an appeals court, I find it both shocking and disheartening that Microsoft has not had to face any penalty nor pay any fines for such a finding of guilt of its past crimes.

I find the settlement proposed by the US DOJ to be a weak and useless compromise, clearly in Microsoft's own interests and plans. Microsoft has shown, time and time again, that it is not only an abusive monopoly, but that it is unwilling and/or incapable of abiding by any remedies for its behavior set forth by the courts.

Microsoft does not innovate. It either buys up, undercuts or blatantly copies the competition. The real losers in this situation are consumers at large, to say nothing of the computer industry. I implore you to find and mete out a punishment and remedy of behavior that fits the magnitude and history of Microsoft's illegal behaviors. To not do so is an injustice to millions.

Thank you.
Sincerely,
David Sopchak, Ph.D.

MTC-00014611

From: GR Sabourin
To: Microsoft ATR
Date: 1/22/02 10:38am
Subject: Microsoft Settlement

Hello,
I use Microsoft products and benefit from them and their features. I resent the government's characterization of me as a helpless victim who cannot choose software that is useful to myself. I do not think that the government has any right to decide what can be in my computer.

I resent the idea that a successful business and its product are a threat to anyone. The complaint against Microsoft originated not with individual consumers, or with Microsoft's partners, but with Microsoft's unsuccessful competitors. Failed businesses must not be allowed to set the rules for the markets in which they failed. Politicians that protect some businesses from others is a dangerous policy. Continued application of the antitrust laws against successful businessmen can only lead to corruption and economic disaster as shown in many other countries.

I want to see an America where success is not throttled, but embraced. I want a free America where anyone with enough intelligence and hard work can be a self-made man like Microsoft Chairman Bill Gates.

And lastly, and most importantly, Microsoft has a fundamental right to its

property, and that it is the government's job is to protect this right, not to take it away.

Greg Sabourin
Redding, CA.

MTC-00014612

From: Holland Franklin
To: Microsoft ATR
Date: 1/22/02 10:57am
Subject: Microsoft Settlement
Franklin S. Holland, Jr.
Brenda L. Holland
317 Climax Street
Graham, NC 27253
January 22, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing you today to express my opinion in regard to the Microsoft settlement. This settlement will serve in the best interest of the public. Continuing litigation against Microsoft will accomplish nothing but adverse effects on consumers.

Microsoft is a company that has contributed a great deal to technological advance. This company should not be stifled or restricted any further. This settlement will allow Microsoft to continue designing and marketing their innovative software. At the same time, this settlement will benefit companies attempting to compete. Microsoft must share more information with other companies and must give consumers more choices. Microsoft must design future versions of Windows to make it easier to install non-Microsoft software. Microsoft has also agreed to provide a license to any third party whose exercise of any options provided for by the settlement would infringe on any Microsoft intellectual property right.

This settlement is strict enough to deal with the issues of this antitrust dispute. Please support this settlement and allow this company to get back to business. Thank you for your support.

Sincerely,
Franklin & Brenda Holland

MTC-00014613

From: Harry Salmon
To: Microsoft ATR
Date: 1/22/02 10:59am
Subject: Microsoft & the COMPETITIVE PROCESS

Hello,
It is a shame to see the Government legal activity involved in interfering with the competitive process.

The companies have been outdone and are using the States to accomplish by legal means, what the companies could not achieve on their own merits. THIS IS NOT RIGHT !

Harry Salmon
1244–13 Westerly Pkwy.
State College, PA 16801

MTC-00014614

From: chrismh@wcnet.org@inetgw
To: Microsoft ATR
Date: 1/22/02 11:01am
Subject: Microsoft Settlement
To whom it may concern,

I am writing to you to express my concerns and opinions as a citizen of the United States on the matter of the Microsoft antitrust settlement. I personally have read the transcripts from the entire trial and the finding of fact. The recent attempt by Microsoft to settle this matter was completely unfair and biased in favor of Microsoft. By accepting the terms of that prior settlement agreement, MORE Microsoft computers would have become established in schools, a market that is currently evenly shared between Apple Computer and Microsoft. The end result of this "punishment" would have been that Microsoft's market share would have gone UP in the education market and their competitor's market share would have gone down. What I believe, as do others as well, should be the only solution to this matter is as follows:

1. Microsoft should be divided into two independent companies sharing no officers or employees between them. One would be the company that develops the operating system and the other would be the company that develops applications. This would assure that Microsoft would have no leverage in forcing OEM computer manufacturers to bundle Microsoft applications because of unfair advantages or forced disadvantages that would be imposed on computer manufacturers who accept or refuse to bundle Microsoft applications.

2. Bill Gates should be completely removed from any position in the resulting companies, as the evidence in the antitrust trial clearly shows that he was, and is the catalyst for all of Microsoft's aggressive monopolistic/anticompetitive business practices. To further keep him from unfairly influencing these two new companies, all of his stock holdings in them should become "nonvoting" holdings.

I am a technology coordinator who uses various computers and operating systems every day. Microsoft, in my opinion and the opinion of many, is in their current position of power, not because they have produced a superior product, but because they have leveraged their monopoly illegally to gain and control market share. Please create a fair and balanced marketplace for computer operating systems and consider my suggestions.

Thank you.

Respectfully,

Christopher M. Hamady

Toledo,

OH

CC:chrismh@wcnet.org@inetgw

MTC-00014615

From: Mack Wilson
To: Microsoft ATR
Date: 1/22/02 11:08am
Subject: Microsoft settlement
900 Duskin Drive
El Paso, TX 79907
January 21, 2002

Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing today to encourage the Department of Justice to accept the Microsoft antitrust settlement.

The issue has been dragged out for long enough, and it is time to move on. A settlement is available and the terms are fair, the government needs to accept it. Many people think that Microsoft has gotten off easy, in fact they have not. The settlement was arrived at after extensive negotiations with a court-appointed mediator. Microsoft will share information with its competitors and allow them to place their own programs on the Windows operating system. The company agreed to terms that extend well beyond the products and procedures that were actually at issue in the suit, simply to put the issue behind them.

Microsoft has given up much to settle this issue, it is time that the government agrees and moves on.

Microsoft and the industry need to move forward, and the only way to move forward is to put the issue in the past. Please accept the Microsoft antitrust settlement.

Sincerely,

Mack Wilson

MTC-00014616

From: David Thorne
To: Microsoft ATR
Date: 1/22/02 11:12am
Subject: Microsoft Settlement

Dear Sir or Madam:

I work for a national corporation based in Kansas and am very much involved in the computer industry. The proceedings of the Microsoft case have been of particular interest to me and I was pleased to learn that a settlement of this case is likely.

I have many opinions regarding the broad consequences bringing this case has had on the technology sector. However, this is not why I chose to write to you today. Whether this case was just to begin with is of little matter now; instead focus must be on whether this proposed settlement is a good one.

Both Microsoft and the Justice Department deserve commendations for a job well done. The provisions of this settlement that have been made public through the media appear to be fair.

This settlement outlines the creation of a committee that will serve as the enforcement mechanism for the agreement. This committee is an independent one over which Microsoft has no influence. Microsoft will be responsible for the costs of this committee.

Other provisions include the guarantee of freedom for users to select applications from competitors more easily and Microsoft will be required to provide its competitors with technical information making it possible to create compatible, and competing, applications.

Please support this settlement.

David Thorne

(316) 393-8324

southern_reb@hotmail.com

MTC-00014617

From: Rietmann Ricky L
To: "microsoft.atr(a)usdoj.gov"
Date: 1/22/02 11:15am
Subject: Microsoft Settlement
I support the microsoft settlement.

MTC-00014618

From: Emery(u)A

To: "Microsoft.atr(a)usdoj.gov"

Date: 1/22/02 11:23am

Subject: Microsoft Settlement

Microsoft is one of the cornerstones of our economy. Please don't ruin this icon of capitalism!

Al Emery

MTC-00014619

From: DZyner1@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 11:25am
Subject: Microsoft Settlement

Please accept the proposed settlement terms of this case as I believe it will be fair for all parties—and will lay the groundwork to repay the taxpayer for the many dollars spent in trying it as well as their cost of the effect of the monopoly on the marketplace to date.

Regards,

N Beverage

MTC-00014620

From: neo
To: Microsoft ATR
Date: 1/22/02 11:34am
Subject: Microsoft's Penalty

Having read through the documentation and having considered the gross nature of the illegal behaviour engaged in by Microsoft Corporation, it is clear that a large cash penalty is the only solution which will force Microsoft to address and correct its behaviour.

This penalty should be:

- 1) Payable only in cash, not in cash equivalents, equipment, goods, or services.

- 2) Microsoft should have no voice in the distribution of this cash penalty. The cash penalty should be administered by and applied by an independent council of non-affected industry experts if it is meant to address industry concerns (such as aid to schools) or remunerative litigation specialists if it is meant to address consumer relief directly.

Any settlement which does involve a drastic monetary penalty for Microsoft will utterly fail to impress upon the company that their behaviour was (and still is while waiting final administration of the current case) not only monopolistic but quite simply illegal.

alan macdougall

branford, ct, usa

MTC-00014621

From: Dom Yarnell
To: Microsoft ATR
Date: 1/22/02 11:39am
Subject: Microsoft Settlement

My name is Dominique Yarnell and I would like to voice my opinion concerning the Microsoft Antitrust case.

Actually, I would like to voice my opinion concerning antitrust law, since it is of a far greater threat to our nation than companies that are arbitrarily defined as monopolies. The very idea of punishing a company for its success is so anti-american that it makes me sick. Unfortunately, such government intervention into the realm of private enterprise seems to be a trend that has been all too prevalent throughout the twentieth, and into the twenty-first century.

Why does the government intervene in the marketplace? As a student of economics, I am familiar with concepts like, "economic surplus," and realize that relatively large firms in any industry will result in less of that surplus. But where is the justification for maximizing economic surplus? Is our government to ensure that goods and services are to be delivered "from those of the greatest ability to those of the greatest need?"

Capitalistic competition has led our country to its current state of technological and economic superiority.

Antitrust law, a weapon wielded by comparatively inefficient firms against the most productive firm in a given industry, works to undermine our global superiority. This weapon is not one of free market competition, but of political pull and bullying. As such, antitrust law can only result in a decrease of overall production and an increase in overall corruption.

For the sake of my beloved country, I hope you take my words to heart.

Sincerely,

Dominique Yarnell

MTC-00014622

From: DeCanaday@aol.com@inetgw

To: Microsoft ATR

Date: 1/22/02 11:40am

Subject: Microsoft Settlement

DeArmond E. Canaday

120 Aldridge Drive

Greenville, SC 29607

January 22, 2002

Attorney General John Ashcroft

US Department of Justice,

950 Pennsylvania Avenue, NW

Washington, DC 20530-0001

Dear Mr. Ashcroft:

My name is DeArmond Canaday. I am a resident of Greenville, South Carolina. I am writing with regard to the settlement recently reached between the Justice Department and Microsoft.

The settlement, as I understand it, requires Microsoft to allow competition for such services as Internet access within its Windows operating systems. It is also my understanding that Microsoft has agreed to a pricing structure program that will help level the playing field among computer manufacturers. As you can see, Microsoft did not get off easy. I hope that you accept the settlement in its present form.

Thank you for giving me the opportunity to express my opinion on this subject.

Sincerely,

DeArmond Canaday

cc: Senator Strom Thurmond

MTC-00014623

From: Damon Butler

To: Microsoft Anti-Trust at USDOJ

Date: 1/22/02 11:28am

Subject: Microsoft Settlement

I am writing to urge the USDOJ to *reject* the proposed settlement of the Microsoft anti-trust case. Time and again, Microsoft has been proven *time and again*, in court, to be a monopolist and to have abused that monopoly power. As such, any proposed settlement must be both:

(1) a fair and just *punishment* for breaking the law, and

(2) a powerful inhibitor that prevents Microsoft from continuing its anti-competitive behavior. Any settlement that does not satisfy both of these criteria is insufficient. As recent history has proven, court orders, consent decrees, and other out-of-court settlements have failed to prevent Microsoft from abusing its monopoly. ANY SETTLEMENT THAT GIVES MICROSOFT THE SLIGHTEST CHANCE OF CONTINUING ITS ANTI-COMPETITIVE BEHAVIOR MUST BE DISMISSED! Not only does it make real, rational sense, it is also the law.

Why must the current proposed settlement be dismissed? Because it fails both of the listed criteria.

In regards to point (1), the only real "punishments" being levied are minor. If the settlement is accepted, for example, Microsoft would no longer have absolute control over the appearance of the Windows desktop. Is this really a punishment? Windows already has, "integrated" into it, software for multimedia applications and Internet access. Windows favors such software whether or not it is prominently displayed, and users are *very* aware, thanks to marketing, about what is and is not "integrated" into their computer's operating system no matter what icons appear on the desktop or what items appear in the Start menu. Software from other manufacturers must be independently purchased or downloaded, and then installed. And even then it may not work properly with Windows (witness Microsoft's court-proven attempts to handicap non-Microsoft software). Users are aware of these issues. Do you really think changing the appearance of the desktop will really change the behavior of users and Microsoft? Another prominent "punishment" of the settlement: the proposed giveaway of hundreds of millions of dollars of PC-compatible hardware and Microsoft software to school districts, is again NO PUNISHMENT AT ALL!! The value of these giveaways, about \$1 billion, is not punishing to a company with many times that amount of cash in the bank! It can be argued that giving computers to needy schools is a good thing. For the sake of argument, I will agree that this is a good thing, but this settlement all but guarantees that such giveaways be of a nature that benefits Microsoft and only Microsoft! IS IT REALLY "PUNISHING" TO "FORCE" MICROSOFT TO GIVE MICROSOFT'S OPERATING SYSTEM SOFTWARE TO HUNDREDS OF MILLIONS OF AMERICAN CITIZENS WHEN THE COMPANY IS GUILTY OF EXTENDING AND PRESERVING A MONOPOLY OF OPERATING SYSTEM SOFTWARE?!!! How can such a move be considered a punishment?!!!

In regards to point (2), the settlement does *nothing* to actually inhibit Microsoft's maintenance and extension of its monopoly. In fact, if the settlement takes effect, and Microsoft is allowed to supply Microsoft software to school districts, the government and pursuant states will be actively enabling the extension of Microsoft's monopoly!!

If Microsoft has a monopoly in PC operating systems, as has been proven, then the settlement should do the *opposite*! It

should *curtail* Microsoft's monopoly. Such remedies must also be true *punishments* in accordance with point (1).

It is difficult to say what combination of remedies can be specified that are both legitimate, real punishments for a law-breaker that also prevent the law-breaker from continuing in its criminal activities.

But it should be obvious that the current proposed settlement of the case is woefully inadequate.

Damon Butler

Impressions Book and Journal Services, Inc.

(608) 244-6218

dbutler@impressions.com

MTC-00014624

From: Robert Johnson

To: Microsoft ATR

Date: 1/22/02 12:03pm

Subject: microsoft Litigation

January 21, 2002

Attorney General John Ashcroft

US Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Mr. Ashcroft:

Microsoft is the best thing that has happened to the IT industry and I cannot imagine where we would be were it not for the innovation of Microsoft and companies like it who are willing to press for change and increased productivity. I recently read a government survey of strong American companies that ranked Microsoft at number two. It is therefore amazing to me that a company that is supposed to be held in such high regard by the government is being pursued so vigorously by the legal system. In my estimation, this type of litigation is in total opposition of the concept of free enterprise and has done a wealth of damage to the country's economy, and the way the country's government is viewed.

Microsoft deems the settlement as fair and has made several strides to honor the terms of this settlement.

They have agreed to make it much easier for competitors to interoperate in the Windows environment, submit the decisions of a technical committee, and have agreed to grant intellectual property license and release internal protocol to competitors. These are small examples of Microsoft's efforts to cooperate with the terms of the settlement.

I am truly looking forward to this matter being wrapped up as soon as possible. There is really no good that can come from continued litigation. In fact, wrapping the case up now will be in the best interest of the economy, as it would give Microsoft the opportunity to refocus all its attention on creating new products.

Sincerely,

Robert Johnson

MTC-00014625

From: Tom Jordan

To: Microsoft ATR

Date: 1/22/02 11:55am

Subject: Microsoft Settlement

Please don't stifle innovation, let creativity flourish!!

Thomas L. Jordan

CC:fin@mobilizationoffice.com@inetgw

MTC-00014626

From: Jinxmerceraol.com@inetgw
 To: Microsoft ATR,fin@
 mobilizationoffice.com@inetgw
 Date: 1/22/02 12:06pm
 Subject: Microsoft
 4925 N Calle Bosque
 Tucson, Arizona 85718
 January 15, 2002
 Attorney General John Ashcroft
 US Department of Justice
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Mr. Ashcroft:

I have had trouble seeing Microsoft as a malicious monopoly. It appears to me that Microsoft is powerful because of the demand by everyday consumers for its products. American economists claim that if you build a better mousetrap, you will experience success under capitalism. This appears to be case, except when dealing with Microsoft.

Although the settlement calls for more concessions than Microsoft may have wanted, it realizes that settling the case sooner is better than later. The longer that this case proceeds, the greater the risk that our country may lose its competitive advantage within the world technology market. Also, let us not forget the devastating effect that a break-up of Microsoft would have on the IT industry as a whole. The loss of standardization and inoperability that would result would almost certainly stalemate the software market for years.

I feel that Microsoft's concessions have gone above and beyond what the states called for. Microsoft is more or less opening its patents and products to its competitors in an effort to stimulate demand for non-Microsoft products. Furthermore, there is a technical oversight committee that will ensure Microsoft's compliance with the terms and conditions of the agreement. Most importantly, competitors will be allowed to sue Microsoft directly when they feel that they have been treated unfairly, thus avoiding another debacle at the federal level.

Thank you for providing this platform for my opinions, and for taking the time to hear my thoughts.

Sincerely,

MTC-00014627

From: Steve Rovell
 To: 'microsoft.atr(a)usdoj.gov'
 Date: 1/22/02 11:57am
 Subject: Microsoft Settlement
 USAGRovell—Steven—1053—0112.doc>>
 I have faxed this to you as well.
 Steve Rovell
 January 20, 2002
 Attorney General John Ashcroft
 Department of Justice
 950 Pennsylvania Avenue, NW
 Washington, DC 20530-0001

Dear Mr. Ashcroft,

I am writing in regards to the Microsoft antitrust case. Let me begin by saying that I do not agree with everything that Microsoft has done, but I understand that in a capitalist economy, the market will choose who is granted success. There may be issues of the antitrust case that have merit, but we should fix these problems and move on. The longer this case goes on, the more that lobbyists' concerns are put before the end users."

The Department of Justice and Microsoft have reached a settlement agreement that has already been approved by nine states. This settlement is both fair and reasonable, and the fact is that under the settlement, Microsoft will grant computer makers new abilities to reconfigure Windows to access non-Microsoft software. For software companies, Microsoft has agreed to document and disclose for its competitors various interfaces that are internal to Windows' operating systems products. This will make the software more efficient, and, as mentioned, the hardware makers will be able to access it easier. That will spur competition. It doesn't make sense to spend scarce resources on issues that have already been resolved. This case has been harmful to the economy and has forced the industry leader to turn their focus from innovation to litigation. It is time to resume business as usual. Let the competitors compete and the leaders lead. The consumers should decide what companies will succeed, not the government.

Sincerely,
 Steven J. Rovell
 Chief Information Officer

MTC-00014628

From: Sydney Kendall
 To: Microsoft ATR
 Date: 1/22/02 12:04pm
 Subject: Economic Liberty

To the District Court Judge:

When I shopped for my first computer I went to a store that exclusively sold Macintosh. The saleswoman gave me her pitch and let me examine a working computer, yet she was not successful in demonstrating the superiority of the system over my Dad's PC. I'd been told by friends that the Mac was easier to use, was better for graphic art creation, and they had urged me to choose a Mac. But when it came to the hands-on demonstration, I could not see any advantage, and if there was one, the saleswoman didn't know how to show it.

I went to CompuServe and was greeted by a salesman from Packard Bell. He gave me a thorough tour of his product. He answered all my questions clearly and with elaboration, and demonstrated all the product's advantages. I would get more of everything I wanted on that computer for a lower price than the Mac, plus more programs were available. In my judgement I was getting more for my money, so I bought the PC. I'm still happy with it nearly 4 years later.

My Windows system came with the Internet Explorer browser. When I started building a web page, I learned that different browsers display web pages differently, so I went over to Netscape and downloaded the Navigator so that I could view my pages through the two most common browsers, and make sure they'd look good to most viewers. While I was using Navigator to check my pages, I also examined it to see whether I might prefer it to IE. I didn't. My dad also downloaded the Navigator and used it for awhile, but had some problems with it and went back to IE, downloading the latest version off the "Net for free.

I am a free adult, capable of exploring the market and making my choices without the

government interposing itself between me and the companies offering their goods. Microsoft made it possible for me to get more of what I wanted for the price I could afford. I had full access to Mac on the market, as well as to Netscape Navigator. I freely chose to try my options and to buy what I wanted according to my means and my own standards.

That is how the free market is supposed to work. Microsoft did not threaten me or anyone else with fines, imprisonment, or any other form of coercion. I do not see the company as a threat to my or anyone else's liberty.

I cannot say the same for the anti-competitive tool used by the less successful against their more successful competition: Antitrust Law.

Please protect the right of the successful to the fruits of their achievements. Leave Microsoft alone.

Sincerely,
 Barbara A. Himes

MTC-00014629

From: Richard Doll
 To: Microsoft ATR
 Date: 1/22/02 12:12pm
 Subject: fair settlement
 to whom is concerned,
 is the MS settlement adequate?
 more than adequate . . .

in my industry, specifically publishing, I would ask . . . where was the gov in the '60s, '70s, and early '80s.

this was the infancy period when chaos reigned. no common op systems, no common disk formats, no gov effort to establish standards. so what happened? the public "users" sorted their way though the mess and selected the system that best provided a clear path to the future.

and what did the future hold . . . legal morass. A gov initiated suit where MS is said to injure "consumers". A suit where not one real consumer was called to testify. A suit where only MS competitors whined their laments to a judge who requires 3 names just to know who he is. probably by now you know how I feel.

MS op sys with their Office applications, and Adobe applications, with Intuit, with . . . is the any end to the list, has made my work easy. In the '50s I needed 10 semi-trailers to handle 5,400 fonts, today I hold them in my hand. In the '50s it took 3 people 8 hours to compose a newspaper page . . . today 1 person creates 16 pages in the same time.

I can paginate 500+ catalog pages in 4 hours. I helped create this MS monster . . . and I would have to do it again.

please allow the current judgement stand without alteration.

please don't allow further penalties that will injure MS or injure consumers, especially as in the "tobacco suits" where injured smokers are not aided by states languishing in their spoils.

respectfully
 richard doll
 5935w—200s
 danville, in 46122
 r.l.doll@worldnet.att.net

MTC-00014630

From: Thomasin LaMachia

To: Microsoft ATR

Date: 1/22/02 12:14pm

Subject: Opinion on Microsoft lawsuit

I have attached a letter expressing my desires to see this suit come to an end.

Thank you,

Thomasin LaMachia

January 16, 2002

Attorney General John Ashcroft

United States Department of Justice 950

Peabody Avenue.

NW Washington, DC 20530-0001

Dear Mr. Ashcroft:

This lawsuit against Microsoft has been going on from the beginning. Instead of allowing on going lawsuits both sides ended in bitter accusations and posturing.

It is therefore preferable that there is a settlement. It will prove for Microsoft to mend some of its fences by promising to end its retaliatory practices and even change its licensing and software development. Some of the terms are really fairly drastic such as Microsoft's distribution of its codes, but in my hope that all the terms will lead to end this debacle.

I am writing to convey my support of this settlement, along with my disappointment that this matter could have ended with a little more grace, and a little less cynicism and spite.

Sincerely,

Thomasin LaMachia

President

MTC-00014631

From: Ron Keller

To: Microsoft ATR

Date: 1/22/02 11:45am

Subject: Microsoft Settlement

(All opinions presented are those of Ronald Keller exclusively and do not necessarily represent the opinions of any other person or organization)

To whom it may concern;

As a voluntary user of Microsoft products, I think that it is critical that the court hears my opinion. I have been trained in and used Microsoft products for seven years as a computer professional. I have had the opportunity to use products and operating systems from many corporations including Macintosh, Linux, Corel and several others. I have found Microsoft products easier to use, more consistent, more powerful and more compatible than any other companies products. I find Microsoft's integration of common computer functions, such as the Internet, Local Area Networking and Multimedia functionality provides a comfortable, simple and entertaining experience.

The court seems to be insinuating in this case that I am somehow a helpless victim forced to use Microsoft's products. This is completely false and insulting. I have freely chosen to use their products after using the products of many different companies. Microsoft, in my opinion, produces the best available. It is patently untrue that I am forced into the Windows environment as the continued popularity of Macintosh products and Linux products attests. I could have used one of these products. I chose

Microsoft. As a consumer, I have voted with my wallet. I question that the court has the right in a free market to change that vote. Microsoft's success is a threat to no one. There is no such thing as a true monopoly in the rapidly changing and advancing technology market. Microsoft continues to be successful not through throttling competition, which is not possible, but through producing a superior product. The moment Microsoft stumbles from their high quality standard, which may never happen, another company will be there to pick up and run with the ball they've dropped.

The court should be reminded that it is not consumers which have initiated this suit. Consumers have overwhelmingly shown their support for Microsoft in several polls. This suit was initiated by Microsoft's competitors who have been unsuccessful against Microsoft in the market. Unable to achieve their goals through fair competition, they have come to you, the courts to attempt to do so by government force.

Economic and market policy should not be set by such failed corporations. Such a policy is a condemnation of success and praise for failure.

I do not wish to see my nation enacting policy which punishes success in this manner. The American Dream is the ability of a person to rise based on his ability and willingness to work. If the suit against Microsoft is successful, it sends a clear message, "Don't become too successful or we'll punish you for it."

We should be praising and looking up to self made men and women such as Bill Gates, not condemning them.

All of this is in direct relation to what our government's, and any government's, most important role is; protection of our individual rights including our right to property. Microsoft has earned its place in the market and its billions through its own productive effort. It has neither stolen nor used force to achieve this. The reason for the existence of government is to make sure that that success is not taken by force. It is not the role of the government to take Microsoft's or Bill Gate's years of hard work and success away from them because a few lesser competitors were unable to be better.

Thank you,
Ronald Keller
Quality Assurance
Qquest Software Systems
CC:activism@moraldefense.com @
inetgw.letters@capitalis. . .

MTC-00014632

From: Travis Butler

To: Microsoft ATR

Date: 1/22/02 12:20pm

Subject: Microsoft Settlement

I am extremely disappointed with the proposed settlement with Microsoft Corporation. Among the reasons why I think this settlement is a bad idea:

1. It appears to contain no significant punitive action for acts that Microsoft has already committed. For all practical purposes, Microsoft has succeeded in the attempt to dominate the web browser market that was the subject of the original complaint; Netscape's browser product has been

marginalized in the software market, and Netscape itself was forced to sell out to America Online—at which point it has virtually disappeared as a moving force in the software arena. This is, in my opinion, exactly the sort of anti-competitive act the antitrust laws were intended to prevent. While I admit this is essentially a fait accompli at this point, and that very little if anything can be done to reverse this result, I believe Microsoft should receive a severe punitive judgement for its actions in this case—both from the standpoint of abstract justice, so that it should not "get off scot-free" for its successful monopolistic practices, and as an incentive to behave better in the future. I believe the latter point is especially important, as:

2. Microsoft has shown little sign of changing its behavior, even in the face of the ongoing antitrust case, as evidenced by the release of Windows XP. Windows XP contains multiple examples of the exact same behavior that led to the original complaint, taking various functions that were once provided by third-party software and incorporating them into Windows XP. While I am somewhat ambivalent about this point—as the included functionality *does* provide a benefit for the consumer—I believe this could have been accomplished in a more competitive fashion, such as licensing one or more of those third-party software products and including them with Windows XP, instead of putting them out of business by creating their own versions.

3. I have very little faith in the enforcement provisions of the agreement. The 1995 antitrust suit that formed the roots of the current case included similar enforcement provisions, and proved to be singularly useless in preventing Microsoft's anti-competitive behavior.

Thank you for your time.

Travis Butler

tbutler@birch.net

. . . Cats are the proof of a higher purpose to the universe.

MTC-00014633

From: Steve Pfaff

To: Microsoft ATR

Date: 1/22/02 12:19pm

Subject: Microsoft Ruling

Her Honor, Judge Colleen Kollar-Kotelly

I urge you to make a fair and just settlement regarding the Microsoft case. While Microsoft has created many good products and helped standardize the computer industry, they should not be allowed to perform business practices that hinder the free market trade of other companies.

They should not be allowed advantages over other businesses that inhibit fair competition.

I am an accountant and have used Microsoft Products for many years, as well as others, but find it distasteful if they are allowed to do things that wipe out other entrepreneurs trying to create their niche in our market place.

thank you,

Steven M. Pfaff

Senior Accountant—Financial Affairs

George Fox University

Phone: 503-554-2169
 Fax: 503-554-2168
 Campus Box 6029
 CC:nolandpeebles@attbi.com@inetgw

MTC-00014634

From: Clonebook@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/22/02 12:25pm
 Subject: Microsoft Settlement

From:
 Lorenz Kraus,
 Albany, NY USA
 I am vehemently against cutting down
 successful people to make way for weaklings.

A society that cuts down its most
 productive for its least productive becomes
 an inhuman society, where savages like
 Stalin and Hitler or Bill Clinton rise to the
 top using hatred and envy as their tool for
 taking power. Bill Gates has been a weak
 advocate for himself and his company. That
 is why this case has dragged on for so long.
 He is not for freedom and innovation as
 much as he thinks because he supports the
 anti-trust laws.

He is not my hero. But, the fact remains
 that ripping down successful companies
 allows the Enrons of the world to take over.

How long has the Justice Department
 attacked good people and ignored the bad?

All this time Microsoft was producing real
 new products, while Enron was screwing
 people over. Where was the Justice
 Department?

When terrorists were plotting to destroy
 freedom, the Justice spent its time attacking
 Elian Gonzalez. The evil of that policy is in
 the body count at Ground Zero.

There is something viciously wrong and
 dangerous in the choices made at the Justice
 Department. Hard-core pro-freedom
 Americans can see that.

The Microsoft case illustrates that we no
 longer live in a free country.

It's basically illegal to be "all that you can
 be." The Anti-trust laws don't allow it.

The anti-trust laws are anti-American.

Microsoft has been attacked for shotty
 products and for market domination.

Look at that contradiction. A company
 whose products truly fail the customer loose
 market share. Yet, the government thinks
 there's a crime going on there.

There is. It the crime of evading the
 contradiction.

The crime is the propaganda campaign by
 liberal fascists who want the state to regulate
 and dominate the marketplace.

There is injustice in the marketplace. It is
 the unregulated intervention of government
 in our lives, in our schools, in our hospitals,
 and our markets.

The injustice is tipping the balance of good
 companies towards the bad.

As a court, your job is to ensure justice.
 Now is the time to publicly absolve Microsoft
 of any wrong-doing and apologize to the
 millions of Americans who have lost over \$5
 trillion in the stock market collapse caused
 by the USC.

Throw this case out of court.

It's the least you could do.

MTC-00014635

From: Dryjy@aol.com@inetgw

To: Microsoft ATR
 Date: 1/22/02 12:28pm
 Subject: Microsoft Settlement
 5568 Matt Aaron Lane
 Birmingham, AL 35215
 Attorney General John Ashcroft
 U.S. Department of Justice
 Washington, DC 20530

Dear Mr. Ashcroft:

I write today to give my support to the
 settlement that was reached between
 Microsoft and the U.S. Department of Justice.
 This settlement is fair for all parties involved,
 and the remaining states should settle instead
 of pursuing litigation against Microsoft.

Microsoft has agreed to license its
 Windows to the twenty largest computer
 makers on identical terms and conditions,
 including price. These are heavy hitters of
 the IT industry, and they will now be able
 to collectively leverage an extreme amount of
 power against Microsoft. Also, Microsoft has
 agreed not to retaliate against software or
 hardware developers who develop or
 promote software that competes with
 Windows or that runs on software that
 competes with Windows.

I urge that no further action be taken
 against Microsoft on the federal level, and the
 settlement be accepted by the Justice
 Department. This settlement is strong enough
 for any reasonable person.

Sincerely,

Joe Yarbrough

cc: Representative Spencer Bachus

MTC-00014636

From: Edson Mena
 To: Microsoft ATR
 Date: 1/22/02 12:28pm
 Subject: Microsoft Settlement
 CC: activism@moraldefense.com @
 inetgw.letters@capitalis. . .

Antitrust legislation is immoral, evil and
 ultimately destructive. Our Supreme Court
 declared: "The historic phrase "a government
 of laws and not of men" epitomizes the
 distinguishing character of our political
 society. . . . [L]aw alone saves a society from
 being. . . ruled by mere brute power
 however disguised." This principle is
 completely flouted by antitrust laws that
 function in a completely arbitrary manner.
 Banning "unfair" trade practices and
 "unreasonable restraint of trade" is a
 dangerous and pernicious joke. "Unfair" to
 whom? "Unreasonable" by what standard?

Under antitrust one can be punished if you
 charge less than the competition (dumping),
 the same as the competition (collusion) and
 more than your competitor (gouging). The list
 of companies betrayed by this vicious
 practice reads like a who's who of success
 and productive achievement: Microsoft, Intel,
 McDonnell-Douglas, Northrup-Grumman,
 Standard Oil, Alcoa, DuPont, IBM, American
 Airlines, Wal-Mart and many others. All
 these companies were vilified not in spite of
 their record of success but because of it.

The American spirit is embodied in the
 success of the individual who triumphs
 despite the odds— he who creates wealth
 through voluntary trade for mutual benefit.
 Our antitrust laws represent the exact
 opposite kind of philosophy—the philosophy
 of envy and of hatred of the good for being
 good.

Repeal antitrust laws and let Microsoft in
 peace.

Edson Mena—American Businessman

MTC-00014637

From: Jim Walton
 To: Microsoft ATR
 Date: 1/22/02 12:34pm
 Subject: Microsoft Settlement
 Attorney General John Ashcroft
 US Department of Justice, 950 Pennsylvania
 Avenue, NW
 Washington, DC 20530-0001

Dear Mr. Ashcroft:

I want to take a moment to express my
 support for the settlement reached between
 Microsoft and the Department of Justice. I
 believe the settlement is clearly in the
 public's interest and gives everyone involved
 a chance to move forward.

After looking over the terms of the
 settlement, I believe Microsoft has made
 significant concessions that will require
 major adjustments in their past practices. For
 example, Microsoft will provide to its
 competitors various interfaces that are
 internal to products on the Windows
 operating system. This provision represents a
 first for antitrust settlement. But Microsoft
 realizes that the best course is to put this case
 to bed and wrap up this suit.

The settlement, in my opinion, will also
 boost the sagging economy. It will also
 provide consumers with more choices, which
 will give them the freedom to choose non-
 Microsoft products if they so desire. So I
 hope your support of the settlement will
 continue without further action on the
 federal level.

Sincerely,

Jim Walton <mailto:jwalton@brpae.com>

Network Administrator

Butler, Rosenbury & Partners, Inc. <http://
 www.brpae.com/>

300 S. Jefferson Suite 505

Springfield, MO 65806

417.865.6100 fax: 417.865.6102

YOUR VISION. OUR FOCUS.

MTC-00014638

From: Carole Weston
 To: Microsoft Settlement
 Date: 1/22/02 10:22am
 Subject: Microsoft Settlement
 Carole Weston
 3241 Newton Falls Rd.
 Diamond, OH 44412-9614
 January 22, 2002
 Microsoft Settlement
 U.S. Department of Justice-Antitrust Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers'
 dollars, was a nuisance to consumers, and a
 serious deterrent to investors in the high-tech
 industry. It is high time for this trial, and the
 wasteful spending accompanying it, to be
 over. Consumers will indeed see competition
 in the marketplace, rather than the
 courtroom. And the investors who propel our
 economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the
 federal government should not have broken
 up Microsoft. If the case is finally over,
 companies like Microsoft can get back into

the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Carole A. Weston

MTC-00014639

From: Richard Evans
To: Microsoft ATR
Date: 1/22/02 12:49pm
Subject: Microsoft Settlement
EVANS CONSULTING GROUP
Richard Evans Telephone (770) 772-7377
Fax (770) 772-6354
1690 Spinnaker Drive
Alpharetta, Ga. 30005
2002 January 12,
Attorney General John Ashcroft
U.S. Department of Justice
Washington, DC 20530-0001

Dear Attorney General Ashcroft:

I have been in business for some time and have observed that there have been some reasonable settlements that have come from the prosecution of anti-competitive practices cases and there are some that leave consumers and businesses worse than before the settlement. I do not believe that measure proscribed by Judge Penfield Jackson would have helped the consumer or business in general. The proposed settlement appears reasonable to me.

Therefore I support the ending of this three-year litigation. Let Microsoft devote 100% of its efforts to developing and supporting innovative new products that are easy to use and universally compatible. In the past three years the company has diverted too much of its attention to defending themselves in this lawsuit, and the net result is that they have been spending less time innovating. This settlement appears to offer reasonable terms and, bringing it to a close now will be in the best interest of our economy, and the consumers that want to use a rich range of software applications.

The settlement imposes several specific restrictions and obligations on Microsoft's business practices. "I believe that these restrictions insure that fair competition will not be jeopardized.

Microsoft has agreed to design future versions of Windows that will promote non-Microsoft software within Windows. These are benefits that can help consumers and help stimulate economic growth.

To end this litigation now is in the best interest of American consumers, businesses and the economy in general. Thank you.

Sincerely,
Richard Evans

MTC-00014640

From: Fox Hollow Farm

To: Microsoft ATR
Date: 1/22/02 1:08pm
Subject: Microsoft settlement
FOX HOLLOW FARM
Ed and Linda Sue Schoenharl
3260 S. Saratoga Rd., Langley, WA 98260
e-mail: snarl@whidbey.com tel: 360-730-1720

January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I am writing to you today to express my support of the Microsoft antitrust settlement. Three years have now passed since the inception of this case against Microsoft. During this time much money has been wasted over this issue. Considering the recent budgetary deficits, the exorbitant amount of money spent over this antitrust issue is increasingly perplexing. To add to this fact that our nation is currently in a wartime period, any continued waste of funds would be ridiculous. The Justice Department must enact the terms of the settlement at the end of January.

Further, if anyone was to believe that the terms of the settlement were not harsh against Microsoft, they are very wrong. Microsoft will now have to disclose the protocols and internal interfaces of the Windows system. In addition to this, Microsoft has agreed to the formation of a third party technical review board. This board serves the purpose of ensuring that Microsoft complies with the terms of the agreement. Thus, anyone that would worry whether or not Microsoft would enact the terms of the agreement should be reassured.

Finally, I believe that the Justice Department should enact the settlement quickly. No more funds should be wasted.

Sincerely,
Ed Schoenharl
Linda Sue Schoenharl

MTC-00014641

From: corleyman@msn.com@inetgw
To: Microsoft ATR
Date: 1/22/02 1:14pm
Subject: Microsoft Settlement

The views expressed here are my own and in no way represent those of the company I work for or the employees of the company. I work for Microsoft as a tester. Three years ago I was failing in sales and my wife and I were struggling to make ends meet. I took a year's worth of classes and next thing I know I'm working as a contract employee for Microsoft. Hard work, dedication and creativity are rewarded here and in less 7 months I was hired as a salaried employee. I'm now working up to a managerial position, and have just bought a brand new four bedroom home for my family on just my salary. My story is common for a lot of my fellow employees. None of this would be possible if Microsoft wasn't growing and increasing it's market. This company is a prime motivator of the computer industry, it's not far off to say if Microsoft sneezes Silicon Valley catches a cold. Damage Microsoft and what will you do to the small companies struggling to become the next Microsoft?

As for Microsoft being a monopoly? What are you talking about? If Microsoft were the all powerful, industry dictating, monopoly you think it is we would have released Windows 95 and told the world to love it or leave it. There never would have been Win98se, WinMe, Win2000, WinXP and we wouldn't be working on the next version. Everyone here knows that we're in constant, high pressure competition with every brilliant Tom, Dick and Harriet out there with the next big idea.

One thing about the whole browser issue, do you really know what you're talking about? I test our browser and do so with Opera, Netscape, AOL and a load of other lesser known browsers running in tandem with Internet Explorer and MSN Explorer. I regularly delete IE and MSN Explorer from my machine and install one of many other browsers and use them instead. If the browser/OS were such an issue could I do that? Every user can easily download Opera and run it. Every user can sign up for their local Mom and Pop ISP or EarthLink and use them to access the Internet.

Glenn Barfield
CC:activism@moraldefense.com@inetgw

MTC-00014642

From: jill@islandrealtyvacations.com@inetgw
To: Microsoft ATR
Date: 1/22/02 1:19pm
Subject: Microsoft Settlement
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft: I was extremely pleased to find out that the federal government had reached a settlement with Microsoft.

Although I felt commencement of this litigation was unwarranted in the first place, after three years I know the best thing for the country is to settle and move forward. The Justice Department negotiated a very comprehensive agreement with Microsoft that will require numerous concessions from the company. One requirement involves Microsoft designing future versions of Windows that provides a mechanism to make it easy for computer makers, consumers and software developers to promote non-Microsoft software within Windows. This will give consumers the freedom to add access to non-Microsoft software onto their computers. Also, Microsoft will be monitored by a technical committee to assure compliance with their obligations. Ending this needless litigation will allow Microsoft to focus on new and improved products. I am sure these products will continue to be supported by consumers who know that Microsoft products are the best.

Sincerely,
Jill Bowling

MTC-00014643

From: Ohiotax@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 1:29pm
Subject: Microsoft Settlement

On behalf of the Ohio Taxpayers Association, and our over 5,000 Ohio members, I would urge that the Justice

Department adopt a settlement with Microsoft and not pursue any further legal action. Thousands of Ohioans are employed in well paying jobs because of the work of Microsoft, in addition, many more Ohioans are shareholders in the company. The only thing these lawsuits have succeeded in doing is to drive share prices of technology companies down, and drive unemployment up. Further litigation would only worsen this situation.

Scott A. Pullins
Ohio Taxpayers Association

MTC-00014644

From: William Richter
To: Microsoft ATR
Date: 1/22/02 1:33pm
Subject: Microsoft Anti-trust

I have been following with interest the current proceedings in the Microsoft Anti-trust trial. While I admit that Microsoft has for the most part, a positive influence in the computer industry over the past two decades, their actions over the past few years have begun to bother me. While I am concerned somewhat about their marketing techniques, which allow them to maintain their operating systems monopoly, I am concerned that the lack of competition is stifling the computer industry in producing solid, stable and secure products.

I have used Microsoft products for years, first with DOS and later with Windows. With each new version, I have heard that this version is more stable than the last. I am a technical user who is always working with my system, installing and removing software. On the older Windows 95/98 platforms, I normally rebuild my systems twice a year when they become unstable. Even with the newer Windows 2000 professional, I still rebuild every eleven to twelve months. Each rebuild costs me at least a day to reload and install software and patches. I also use Linux based systems on a similar basis and do not run into this type of problem at all. I have had Linux systems run for years without the slightest instability. I understand that operating systems are not perfect and have defects. However, Linux has incentive to fix its problems.

Security is also another issue that concerns me. As part of my job, I maintain our organization's anti-virus software. Because of the constant influx of new viruses, this software must be maintained in on a constant basis. Even with constant attention, the release of a new virus can stop the Internet cold until the infected systems are found and disinfected. Looking at the source of the infection, we find that the majority of viruses are caused by defects in Microsoft. Many defects have not been caught though several versions of the products. The damages to a single virus can run into ten to hundreds of millions in damage. This damage is harmful to the industry as a whole and to our national infrastructure because the frailty of the software.

Microsoft has now announced that they will make security a top concern. This comes after major issues with XP that have even gotten the FBI involved. From my long experience with technology, I know that fixing the problem will not be as easy as

Microsoft wishes us to believe. As with any design, the further along in the design process, the harder it is to make fixes. After the implementation, the cost becomes prohibitive. Meaning, we might not see a secure version of Windows until the next release, several years from now. I am sure Microsoft were more concerned with pushing Windows XP out the door before the court had a chance to review their latest product. However, this is a bad practice which puts their personal interests above the country's.

The question becomes, what is wrong with the settlement as it now stands. First, the settlement does nothing to address Microsoft's ability to maintain its monopoly in the operating system market. This is bad because Microsoft claims that it innovates it products in response to market needs. However, with no competition Microsoft has grown complacent. Other operating systems such Linux and OpenBSD have already addressed the security and stability issues plaguing Microsoft products. However, because they do not hold market share large enough to threaten Microsoft, as would happen in a thriving open market has not responded to these innovations. In a way, Microsoft's plan for the future reminds me of the old USSR's planned economy. While this plan worked for a while, the lack of open market forces eventually doomed it.

I submit that to follow the current agreement put forth by the Microsoft and the Department of Justice is leading us down a path that has not worked in the past and is not healthy for our country or economy in the long run. A system which promotes healthy competition in the technology industry and does not allow one company to illegally maintain a strangle hold is needed to protect us from this future.

William Richter
Technology Specialist, Edinboro
University of PA 814-732-2931

MTC-00014645

From: Brian Hamlin
To: Microsoft ATR
Date: 1/22/02 1:41pm
Subject: Proposed Final Judgement—
Insufficient—

Re: Proposed Final Judgement US vs. Microsoft

Microsoft has been found guilty of illegally using monopoly power to further its commercial gains, stifle competition and harm the consumer, and illegally sustaining and extending monopolies in distinct software markets. This letter is to inform you of my own strong conviction that Microsoft Corporation has shown by its past conduct that it cannot be trusted to abide by its own legal settlements. The proposed Final Judgement is weak and contains serious loopholes. It was negotiated in haste and under pressure to settle.

I urge the Federal Government to take the strongest action in this case, including the breakup of Microsoft, to create a level playing field for technology companies and to protect the consumer. Consider the proposals of the States of California (of which I am a resident), Massachusetts, Iowa, et al as reasonable and effective remedy in this case.

sincerely

Brian M Hamlin
US Citizen

MTC-00014647

From: Borden Stevens
To: Microsoft ATR
Date: 1/22/02 1:47pm
Subject: Microsoft Settlement

To the people listening to us out here: Please hear my voice too, I am an american citizen and have been following the entire microsoft trial since the beginning with very personal interest. It reminds me so much of my classes long ago on busting up antitrust moguls of long ago, like Bell Telephone or Rockefeller or the railroad barons and its is so important. Please hear my voice: Its time for this example to be closed now, and settled. Enough time and effort and opinions and money have been spent; I'm sure everyone has learned as much as they can, and any further pounding on Microsoft is going to be ignored as the world moves on and has all its attention on the current war we are in and the recession. It is time to close this down and settle it and move on. Im sure, looking at the history of this country, that there will be more Microsoft companies in the future to use as examples, but this lesson has been learned and its time is over!

Thanks for your time and attention.
US citizen Borden B. Stevens, San Clemente, CA.

MTC-00014648

From: Julieann Willes
To: Microsoft ATR
Date: 1/22/02 1:49pm
Subject: Microsoft Settlement

Dear Department of Justice, It is my humble opinion that now is the time to END the trial against Microsoft. Microsoft is a great company, and has done so much for the way we work and live. It has produced the best software ever made and has put it in the hands of ordinary people. Microsoft may not have been perfect, but they have paid for their indiscretion. What about the indiscretions of the competitors that are making so much noise?? Surely, we don't believe that THEY have none! This is about jealousy, and bringing the leader DOWN. Enough already. Let's get on with it. Let's start moving forward, not standing still. Let's get COMPATIBLE!

People WANT to be compatible. Anyway, we need to put this this behind us. It will be a sigh of relief for more people then the people who are complaining. To them I say, STOP COMPLAINING AND START CREATING A GREAT PRODUCT.

Thank you.
Julieann Willes
Office Manager
Your brain is your computer...your life is the printer.

MTC-00014649

From: KT Srinivas
To: Microsoft ATR
Date: 1/22/02 1:55pm
Subject: Microsoft Settlement.
Settle NOW.

Do not commit economic harakiri!!

MTC-00014650

From: Phil Shinn

To: Microsoft ATR
Date: 1/22/02 1:58pm
Subject: Microsoft Settlement

Microsoft as a corporate entity is a rapacious vindictive convicted monopoly totally out of control.

From the Stacker to Dr. DOS to Netscape and now with their speech engines, they will continue to parlay their monopoly into any and all related areas. I have been a software professional for twenty years and I hate them. No one can stop them but you. Do it.

MTC-00014651

From: Bill Riddell
To: Microsoft ATR
Date: 1/22/02 1:58pm
Subject: Microsoft Settlement
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing this letter to express my opinions about the settlement that was reached last November between Microsoft and the Department of Justice. I am in favor of this agreement because it brings an end to the three years of litigation that have been plaguing Microsoft, and hampering innovation in the entire IT industry. Microsoft did not get off easy in the settlement, and they have had restrictions and obligations placed on them that were never even an issue in the initial suit. They have agreed to turn over, to their competitors, interfaces that are internal to the Windows operating system, as well as coding in Windows that is used to communicate with other software. These terms go a little far, but what is done is done. We now need to put all of this behind us and move on.

Although I don't feel this case should ever have begun in the first place, I support the settlement since it squashes the litigation that has been hampering the technology industry for years now. The proposed agreement between Microsoft and the Department of Justice must be approved as soon as possible.

Sincerely,

Lawrence Riddell
6 Osio Way, Del Rey Oaks, CA 93940-5510
Phone 831-392-1744

MTC-00014652

From: langtonjbl@cs.com@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

Stop this witch hunt against Microsoft. Whenever the government has been involved in business it has made things worse. In my estimation Microsoft has done only good for the public. There has been and always will be competition in the market. The other software companies just have sour grapes because of Microsoft's success. I remember the days when each computer had a different operating system and that was a nightmare. Microsoft was instrumental in ending that problem. Stop throwing stones at Microsoft.

MTC-00014653

From: robert@sherweng.com@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm

Subject: Microsoft Settlement

The government settlement is a sellout to Microsoft. The company should have been split up in two or three companies. Their monopoly is killing new and better products.

MTC-00014654

From: tlnorris@west.raytheon.com@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

The US DOJ should end the abuse of letting Microsoft Competitors use the court system to stifle Microsoft's innovations for their own selfish interests. It is ludicrous to take the position that a company such as Microsoft should be forced to provide a product that is inferior (i.e. removal of certain features) just so the competition can gain market share. This is America what is going on? This would have the consumer buying a lot of products separately working through the technical bugs of each product and buying later revisions of each product rather than have the option of buying all features in one clean package. This increases the complexity and wastes valuable consumer time and money. Oracle has apparently never even read their own advertisement where they brag about how their software package is integrated and replaces the piecemeal approach by a system that uses SAP Peoplesoft etc to handle corporate IT needs. Get real! You would think the government could attack a real monopoly like the Oil companies that truly do use OPEC to rig pricing or the Sugar Growers who are backed by Congress to unfairly elevate US Sugar prices. Now these are monopolies worthy of the name and Congressionally sanctioned. You would think the congressmen would be embarrassed by their own hypocrisy but some people have no shame.

MTC-00014655

From: bieh1
To: Microsoft ATR,csfaculty@cuc.edu@inetgw
Date: 1/22/02 2:00pm
Subject: Microsoft Judgement

I glanced over the documents and what I saw made me quite pleased. Microsoft has always said it was "innovate" but it has been innovate as far as strong arming non-Microsoft companies. I love the wording that stated that Microsoft can fairly compete based on innovation—boy, are THEY in trouble! :) . . . There are a lot of companies I would consider innovative: Sun, Apple, etc . . . Microsoft doesn't seem to be there—though, to be fair, they probably don't need to be. Like huge coffee companies that distribute "plain coffee" leaving the "special coffees" to smaller companies like Starbucks, Microsoft can offer "plain's/w" and leave "special s/w" to smaller companies. Also, breaking the stranglehold on what O/S and applications can be loaded on the PC is also good. If someone wants Linux and NOT Windows, then the OEM should be able to supply that. If someone wants Netscape and NOT Internet Explorer, the OEM should be able to supply that too! Forcing everyone into the same straightjacket for only Microsoft's benefit is not good for anyone—even Microsoft in the long run. Still, like a big kid

in the sandbox being told to "play fair", Microsoft will continue to "accidentally" toss sand at the other kids—even those kids who help make Windows more attractive because it is viewed as "threatening" (i.e. non-Microsoft). Having a supervisor on the corner of the sandbox (i.e. a TC representative at Microsoft headquarters) would be a good step to minimize that. Finally, my 2 cents as far as penalizing Microsoft. The settlement for Microsoft to give "billions" away of Microsoft s/w and old PC h/w to poor schools sounds good—until you realize that that \$495 MS-Office CD costs Microsoft only \$2 to manufacture! And putting Microsoft Windows in the Education with Microsoft Software benefits Microsoft far more than the poor schools—I bet Microsoft is wishing for "more punishment" like that! Hit them in the pocket book! Make them actually write out a check for \$2 billion and not the "fake money" they are proposing.

All in all, the judgment looks like a good thing . . . Keep the Microsoft Giant from squishing the little guys! Tony Biehl, Head of Computer Science Department, Columbia Union College

MTC-00014656

From: wvatwogun@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

without companys finding new ways to serve us and hire people you would not have a job.government has never run anything efficient yet.j m w.

MTC-00014657

From: shaefferevy@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

Please approve the settlement terms reached on 11/3/01. I believe that it is in everyone's best interest to settle this case now.

MTC-00014658

From: earlsnidely@yahoo.com@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

The proposed part of the Microsoft settlement that would allow them to donate computers to schools as payment would only further extend their monopoly power. If their is to be a donation to schools make it in cash so the schools can buy whatever computers they want with whatever operating system they want. Microsoft is indeed a great company with great products. But they often use that power to abuse and take advantage of other companies & the marketplace.

MTC-00014659

From: gpmhdhs@cs.com@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

OW LONG MUST A WONDERFUL COMPANY THAT PROVIDES JUST ABOUT EVERYTHING USED IN RELATIONSHIP TO COMPUTERS AND IN THE PROCESS PROVIDES MANY JOBS FOR US CITIZENS AS WELL AS TAX DOLLARS BE MADE TO SUFFER BECAUSE IT IS SUCCESSFUL?

CONSIDER IF THIS COMPANY IS MOVED TO ANOTHER COUNTRY BECAUSE OF THE GOVT MEDDLING. THINK ABOUT THE JOBS AND TAX DOLLARS LOSS. THERE HAS BEEN MORE THAN ADEQUATE TIME TO PURSUE THIS MATTER AND WITH EACH PASSING DAY IT JUST PROVES TO BE MORE A SOURCE OF PROVING HOW INEPT OUR GOVT IS. I M SURE OTHER GOVTS LAUGH AT US. I WOULD TOO IF IT WEREN'T SO SERIOUS. SHOW US WE REALLY HAVE PEOPLE WHO AREN'T IDIOTS.GPM

MTC-00014660

From: frankcards@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

I feel the case should end against Microsoft and should have never occurred in the first place. . . . My belief for the suit initially was due to Bill Gates not being a contributor to the Democratic party and Bill Clinton made it a personal issue. (I have been a Democrat all my life and had switched and voted for G.W. Bush due to this awful political incident among many others during the Bill Clinton Presidency.)

MTC-00014661

From: mistac1@cox.net@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

I wholeheartedly support the settlement so that the technology industry can get back to business full time and the enormous uncertainty in the stock market created by the suit will end.

MTC-00014662

From: macpros@pacbell.net@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

It s time for the government to settle and get off of MicroSofts back

MTC-00014663

From: siconn@attbi.com@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

basically I want to say that this thing has draged on long enough. you slaped his hands now boath sides have come to an agrement and you want to keep it going. I say let this thing be settled and maby just maby we can get an operating system that works for a change.

MTC-00014664

From: imzadi32@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

I think that it is time for this case to be settled and for Microsoft to proceed with their plans on improving technology. This whole mess has caused the tax payers money and loss of opportunity only because of the selfishness and greed of a few.

MTC-00014665

From: PAPA2SHORTS@aol.com@inetgw
To: Microsoft ATR

Date: 1/22/02 1:52pm
Subject: Microsoft Settlement
I FEEL THIS SETTLEMENT IS THE BEST FOR THE PUBLIC

MTC-00014666

From: bongojoco@msn.com@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

Typical of our courts paradoxes and bottlenecks I thought in america we want success? What did Bill do he became a success! Mr. Gates should fight on!

MTC-00014667

From: skeeeling@redcreek.net@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

I agree with the settlement

MTC-00014668

From: rabolduc@capecod.net@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

A Judgement has been rendered and to continue on will hinder the operation of similar organizations.

Lets be done with this as the judgement seems proper and just.

MTC-00014669

From: rdh@amaonline.com@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

Microsoft should be broken up into at least three parts that is the only way to protect the public from Microsoft.

MTC-00014670

From: Microsoft ATR
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

I BELIEVE THAT THIS ENTIRE CASE WAS SOLELY MOTIVATED BY THE COMPETITORS OF MICROSOFT. IT IS MY OPINION THAT THE JUSTICE DEPT. IS THERE TO PROTECT THE CONSUMERS—NOT THE COMPETITORS. I HAVE NOT HEARD OF ONE OF MY ACQUAINTENCES WHO IS DISATISFIED WITH MICROSOFTS PRODUCTS OR PRICING.

MTC-00014671

From: hcalvin@ieeee.org@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

I support the 3 November agreement. Let's get government off Microsoft's back and let them get on with business. Maybe I m a bit cynical but I see this as more sour grapes because some of Microsoft's competitors feel they can't compete and need help from Uncle Sam.

MTC-00014672

From: jasjmtch@ix.netcom.com@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

I feel it is time to move on and all the various states to sign off on this. Microsoft is

being victimized for being too successful. They practiced free enterprise by being innovative and hiring very competent staff. The complainers don't want to compete in the free market. They want business and success handed to them via court settlement.

MTC-00014673

From: jworth@stonesav.com@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

The proposed settlement does not come close to being fair to both consumers and competitors. Microsoft must not be allowed to force anyone at any time to utilize their software at the expense of a competitors. Nothing more need be said. To do reduces my job from that of an Information Systems Manager to a simple implementor of Microsoft products. Microsoft needs to be told how to be fair. Their historical behavior proves that they will not do it on their own. We beseech the courts to act fairly in this matter and to reject this harmful settlement.

MTC-00014674

From: lclevel707@msn.com@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

I believe that it is in the best interests of consumers and the general public if the settlement reached by the United States Justice Dept. and the majority of the states is implemented. It is a disgraceful waste of taxpayer resources to continue to litigate this case to provide protection for Microsoft s competitors and to further the careers of various states attorney generals. The real losers are the public.

MTC-00014675

From: frsucurtis@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

The settlment with Microsoft is fair and reasonable and is in the best interest of everyone. I agree lets get on the really great technology that lies ahead.

MTC-00014676

From: glen@newhopemin.org@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

It is time to stop the fighting over technology that has made our lives better. We have a war against terrorism that is much more important than a petty fuss with Microsoft. Settle with Microsoft and get to work on something more threatening to our society!

MTC-00014677

From: hovsepi@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 1:52pm
Subject: Microsoft Settlement

Let's get this over with!! Microsoft has come up with innovative products that has helped the world and everyone has used the technology. This is a waste of money and we as a country have more important things to concern ourselves with.

MTC-00014678

From: buckyt@wmjonesco.com@inetgw
 To: Microsoft ATR
 Date: 1/22/02 1:52pm
 Subject: Microsoft Settlement

I didn't hear of any litigation against Big Blue when they dominated the computer market during the 60's 70's and 80's. Mr. Gates is living the American Dream bred from successful capitalism. In the process he has helped make many of his employees very wealthy. Apparently success breeds contempt. Leave MS alone.

MTC-00014679

From: erniewd@msn.com@inetgw
 To: Microsoft ATR
 Date: 1/22/02 1:52pm
 Subject: Microsoft Settlement

To whom it may concern: I have purchased many Microsoft products over the years. I do so because I believe Microsoft's products are superior to other products. I don't believe that I have been overcharged. Microsoft has been unfairly drawn into a lawsuit because they manufacture a product line that their competition is unable to compete with. Microsoft has competitors who each year spend billions of dollars trying to develop a product that will compete with Microsoft's products. No one is forced to buy Microsoft products obviously Microsoft has grown to one of the world's largest companies because of customer satisfaction. Please settle the lawsuit against Microsoft and let an innovative company get back to what they do best without the burden of an anti-trust lawsuit burdening the company.

Concerned consumer Ernest Wood

MTC-00014680

From: mmanning73@home.com@inetgw
 To: Microsoft ATR
 Date: 1/22/02 1:52pm
 Subject: Microsoft Settlement

The settlement is a fair and reasonable resolution. No more should be done by the US Government to prosecute the case against Microsoft.

MTC-00014681

From: etspam@tds.net@inetgw
 To: Microsoft ATR
 Date: 1/22/02 1:52pm
 Subject: Microsoft Settlement

I feel the settlement amounts to a slap on the wrist for Micro\$oft. Now Micro\$oft is back to thier arrogant ways because they know that with a Republican in the Whitehouse they can get away with anything. After all Micro\$oft gave them enough money to make the difference. I don't mind Micro\$oft being the leader in areas that they have better technology but they have used thier advantage in those areas (Desktop basically) to stifle competition in other areas where there products were/inferior (Directory Services Word Processing Enterprise Servers). Micro\$oft has done some good things but in just about every occasion some other company did it first and Micro\$oft merely ripped off thier technology. Thier licencing fees for software are a joke. When people get educated and realize they don't need to pay hundreds of dollars to have the latest office software and don't need all

the bells and whistles for most things they do Micro\$oft will suffer. This is especially true in homes with more than one pc. People spend the majority of thier time either cruising the net or reading email. Why buy a new pc with the latest Micro\$oft software to do this? Those who do are either foolish ignorant or both.

MTC-00014682

From: dean1948@juno.com@inetgw
 To: Microsoft ATR
 Date: 1/22/02 1:52pm
 Subject: Microsoft Settlement

Remember BATA VCR's. . . . Remember VHS VCR's. Thank God the market place selected and made only one the dominate system. Computers and operating systems also provide a common language that enables anyone to develop competitive programs in a common language. Without a dominate system educators would have an impossible job. Like the English language dominance makes the world more efficient in many ways. The Government should get off the case and let the market place decide the best products.

Curtis Kornegay

MTC-00014683

From: budg3620@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/22/02 1:52pm
 Subject: Microsoft Settlement

I think the settlement should be accepted and the punishing Microsoft be ended. There are other operating systems if a person does not want Windows. Most people have Windows because it works the best.

MTC-00014684

From: Asif tambe
 To: Microsoft ATR
 Date: 1/22/02 2:01pm
 Subject: Microsoft Settlement

The settlement is good for the people, the industry and the American economy. The settlement is also fair and reasonable to all parties involved. I would like to have the microsoft case settled immediately. Asif.

MTC-00014685

From: johnpaul@pikenet.net@inetgw
 To: Microsoft ATR
 Date: 1/22/02 1:52pm
 Subject: Microsoft Settlement

I would hope that the settlement stands as is. I see NO reason what-so-ever for the Federal Government to sue any legitimate company but that has been done to Micro\$oft. Now that the deed IS done get on with the settlement and push on. What company will the Justice Department go after next? Aren't there any bad guys out there any more that need prosecuting?

MTC-00014686

From: JbarrRetdc@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/22/02 1:52pm
 Subject: Microsoft Settlement

Settle this case. It has been going on too long. Get the government out of the technology area. The original case was a mistake run by an out-of-control Justice Department and managed by a biased and arrogant judge.

MTC-00014687

From: tehart1@ameritech.net@inetgw
 To: Microsoft ATR
 Date: 1/22/02 1:52pm
 Subject: Microsoft Settlement

The government has no reason to keep the Microsoft case in court. It is a waste of our money to try to break up a non-monopoly. There has always been other avenues to use a computer and to go on line. The American people do have a choice i/e MAC/Apple. The government should be there to govern the private sector not run it.

MTC-00014688

From: shaokittom@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/22/02 1:52pm
 Subject: Microsoft Settlement

Punishing Microsoft is a shame to our justice system.

MTC-00014689

From: Kelli M. Adam
 To: Microsoft ATR
 Date: 1/22/02 1:58pm
 Subject: Microsoft Settlement
 Kelli M. Adam
 11400 98th Avenue NE
 Suite 301
 Kirkland, WA 98033
 January 22, 2002
 Attorney General John Ashcroft
 US Department of Justice,
 950 Pennsylvania Avenue, NW
 Washington, DC 20530-0001

Dear Mr. Ashcroft:

I am writing you today to encourage you and the Department of Justice to accept the Microsoft antitrust settlement. A settlement has been reached, the terms are fair and the government should accept it. The states that have not accepted the settlement are simply dragging their feet, and I do not wish to see the Federal Government drag their feet also or spend anymore tax payer dollars on this issue.

Many people think that Microsoft is getting off easy, this is simply not true. The settlement was arrived at after extensive negotiations with a court-appointed mediator. Microsoft agreed to terms that extend well beyond the products and procedures that were actually at issue in the suit, simply for the sake of putting an end to the issue.

The settlement is fair and should be accepted. Microsoft, the technology industry, and the government all need to move on. The antitrust case needs to be put in the past and business needs to return to normal. Please accept the Microsoft antitrust settlement.

Sincerely,
 Kelli M. Adam

MTC-00014690

From: Lelachance@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/22/02 2:08pm
 Subject: Microsoft Settlement

I think this suit should be settled ASAP. I do not beleive or agree with the 9 states or their politicians who desire further litigation. Let us move on to a more vibrant economy.

Leo LaChance Fargo, ND

MTC-00014691

From: Mbfajones@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/22/02 2:07pm
 Subject: Microsoft Settlement

Dear Mr. Ashcroft:

I am writing you today to express my opinion in regards to the settlement that was reached in November between Microsoft and the government. I support Microsoft in this dispute, and I believe this settlement will contribute to the economy and society.

This settlement contains provisions that not only allows Microsoft to devote its resources to designing and marketing its innovative software, but this settlement will also have a positive impact on competing companies. Competing companies will benefit from receiving more information from Microsoft about software, and companies can sue Microsoft if they feel the company is not complying with the agreement. Microsoft has also agreed to be monitored by a technical oversight committee. Microsoft has also agreed fully to carry out this agreement, for the sake of ending this three-year litigation.

During a time when there are so many issues facing us today, I believe we should rally up our energy and time into dealing with more pressing concerns.

Thank you for your support.

Sincerely,
 Mary B. Jones
 1 River Birch Lane
 Savannah, GA 31411

MTC-00014693

From: Paul, Randal H. M.D.
 To: "microsoft.atr(a)usdoj.gov"
 Date: 1/22/02 2:12pm
 Subject: microsoft settlement

To Whom It May Concern:

Get government out of the antitrust field entirely. Antitrust litigation has become nothing more than an arena for unsuccessful competitors to cry and whine about the success of market leaders. Microsoft, like Standard Oil, and any number of other high profile antitrust cases is accused of controlling market share while prices to the consumer persistently decline.

Who cares if a company controls 100% of market share if prices decline? In fact, many economists would argue that you can only continue to gain market share if prices are declining.

Microsoft litigation was foolish in the first place and guided by politicians from states that were homes to Microsofts competitors. Not only should the whole mess be dropped but an apology should be issued to Microsoft and the public.

This would be an opportune time for government to vocally and prominently admit the failure of the antitrust paradigm. Please read Armentano's great book, "The Myths of Antitrust."

Rand Paul
 200 Lakeside Way
 Bowling Green, KY 42103

MTC-00014694

From: Horne, Christopher
 To: "Microsoft.atr(a)usdoj.gov"
 Date: 1/22/02 2:21pm
 Subject: Microsoft Settlement

I would strongly urge the Court to propose breaking up Microsoft into separate companies to insure that it does not continue to monopolize on its stranglehold on the PC market. Microsoft has shown that its behavior will not change even in lieu of recent injunctions or possible penalties. Forcing Microsoft to break up into two separate companies, one for the operating system only and one for the middleware such as Office and Explorer, would insure that other software and hardware companies have a fighting chance to compete on a fairly level playing field. I don't think that any other solution would be effective against a company so large and one that dominates a market as much as Microsoft.

Christopher Horne
 1817 N. Quinn St., #405
 Arlington, VA 22209

MTC-00014695

From: John Costello
 To: Microsoft ATR
 Date: 1/22/02 2:20pm
 Subject: Microsoft Settlement
 Jan. 22 2002

Attorney General John Ashcroft
 US Dept. of Justice,
 950 Pennsylvania Ave. NW
 Washington, DC 20530-0001

Dear Mr. Ashcroft:

Microsoft has been the subject to court action for more than three years in the antitrust case: as they say, justice delayed is justice denied. You should support the settlement that was recently reached and allow Microsoft to give its attention to software development and not legal proceedings. Outside interests with ulterior anti-Microsoft agenda do not want this settlement implemented because they believe it does not harm the company enough. The fact is this settlement is very equitable. The settlement allows competitors to view Microsoft blueprints to create better software. This concession by Microsoft is very generous and only a fraction of the settlement.

Settling this case is the logical action at this point. Microsoft is one of America's most important companies, and is a very large employer. An improvement in Microsoft's situation could improve our nation's situation as well.

Sincerely,
 John H. Costello, 3611
 Austin Rd. Monroe, NC
 28112

MTC-00014696

From: Gene Cook
 To: Microsoft ATR
 Date: 1/22/02 2:40pm
 Subject: Microsoft Settlement
 Eugene C. Cook,
 17910 Shadow Valley Drive
 Spring, TX 77379
 Tel. 281-370-5206
 January 22, 2002

Attorney General John Ashcroft
 US Department of Justice
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Mr. Ashcroft:

I write today out of concern over the settlement of the Microsoft antitrust suit. I

support the settlement you reached. It is past time to get this atrocious lawsuit over with. It is better to grow, better to build, better to innovate, than to destroy. Microsoft has grown its business from nothing, built the best software in the world, and introduced amazing innovations to worldwide audience of computer users. Let's stop the ankle biters who want to destroy Microsoft. Now, with the settlement, Microsoft will become even a better partner to its industry. Sharing internal interfaces and server protocols, while also licensing other intellectual property on reasonable terms; renouncing the standard business practice of exclusive marketing contracts; building flexibility to substitute non-Microsoft software in Windows; publishing a uniform pricing list for large competitors; and having an oversight committee visit its facilities to monitor the situation for five years will lead to growth of the Windows community of companies. I support the settlement and look forward to the end of this case.

Sincerely,
 Eugene Cook

MTC-00014697

From: chickadee
 To: Microsoft ATR
 Date: 1/22/02 2:45pm
 Subject: Microsoft Settlement
 To Whom It May Concern:

I am strongly opposed to the settlement plan being considered presently by the Department of Justice. I would like to explain why. I am an average home computer user with no special knowledge of computers. Over the years I have been frustrated by the relatively poor quality of Microsoft products and angered by their unfair, and shall I say underhanded, business tactics. There is Microsoft software on my computer (not Windows) that I cannot delete no matter what I do. There is code on my computer that prevents competing products from operating properly. I have found it challenging, to say the least, to NOT use Microsoft products, even though that is my choice.

The thought of children at school being indoctrinated into the world of Windows and Microsoft products gives me shudders. This is not punishment, this is complicity in the strong-arm tactics Microsoft has been using for years. I do not believe this is the intention of the antitrust laws in this country. Schools especially should have a CHOICE as to which products they use to educate our children, whether that's Microsoft, Apple, or other.

If competition is supposed to serve to improve the quality of goods and services, I suggest we allow that process to run its course. It is simply contrary to our way of life and business to allow one company to succeed because they continually push the limits of what is fair in the marketing of their products. Please do not let us down.

Sincerely,
 Sydney Nash
 San Francisco, CA

MTC-00014698

From: mearle
 To: Microsoft ATR
 Date: 1/22/02 2:52pm
 Subject: Microsoft Settlement

Microsoft is arguably one of the most innovative companies in existence today. Their undeniable impact on the accessibility of computers, and gains in productivity are only one reason Microsoft should be left alone. The people at Microsoft produce things they like, and are good enough at making their goods to earn a profit. What now does it say to the future geniuses of this new century if the life work of others is altered just because others can't come up with something better?

Some say that Microsoft has used its "monopolistic" power to prevent other corporations from competing. Microsoft has never had the power (and never could in our republic) to prevent me from buying software from a competing firm. Consumers still willingly, year after year, make Windows their choice over products from Apple, IBM, Sun, and Linux companies. No proposed legal remedy would improve these other companies' products. Since they can't win freely in the marketplace, their plan is to hamstring their better adversary. Punishing Microsoft only lowers the standards for every one.

MTC-00014699

From: Leonard Simon
To: Microsoft ATR
Date: 1/22/02 2:55pm
Subject: Microsoft Settlement
Leonard Simon
6370 Bixby Hill Road
Long Beach, CA 90815
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

As a supporter of Microsoft, I write you with interest in the recent developments of the settlement in the anti-trust suit. The terms of this agreement are fair and reasonable and should be enforced as soon as possible. These terms include bold changes toward the technology industry and should be allowed to speak for themselves.

Microsoft has agreed to some very bold changes in the technology industry that include licensing and marketing alterations. They have also agreed to make changes in design, which allow non-Microsoft companies to install their software on new versions of Windows. All of these concessions will be monitored by a committee that will oversee the enforcement of this agreement. The technology industry is ready to use this settlement as a guideline to move forward and get back to business. Let us not be the ones to slow down the process that we initiated in the first place. Please help to stop any further actions against this agreement and help get our economy back on track.

Sincerely,
Leonard Simon
Phone: 310-346-3448

MTC-00014700

From: Chris Lake
To: Microsoft ATR
Date: 1/22/02 3:06pm
Subject: Proposed

Microsoft Settlement

To Whom It May Concern: This letter is my public response to the Microsoft settlement. Most of my adult life has been influenced by computers and, specifically, Microsoft operating systems and applications software. I have also used several programs that were specifically targeted by Microsoft in its monopolistic fervor. Two that immediately spring to mind are the following:

- DR-DOS, an operating system from Digital Research, was the installed alternative to MS-DOS and PC-DOS (from IBM) on my first IBM-compatible PC, purchased in 1988
- Netscape Navigator, the commercial successor to the NCSA Mosaic web browser, was my first browser, and the target browser platform of choice during my first few years of web design work (1996–1998) Until last summer, I was a devoted Windows user, one of the lucky few who had few problems with compatibility, system crashes, or even email viruses. This track record was in direct contrast to other members of my family who are less technically astute than me: their ignorance of virus scanning software and other difficulties in maintaining their systems resulted in many tales of hardship and confusion. At least three fresh reinstallations of Windows have occurred in their household in the past year; I myself found myself reinstalling last summer, after unexplainable system instabilities began affecting my ability to work. I also discovered that the latest generations of the Linux OS had become significantly more user-friendly, and since it is free, I decided to give it a whirl.

Again, I am technically more capable than the average computer user, and thus the transition to Linux was not difficult. I have found ways to do virtually every task that I used to do under Windows. Free software exists to rival, even exceed, the software that I paid thousands of dollars for in my Windows environment. However, there is one very interesting gap in most free software's capabilities: the ability to read and write Microsoft-compatible file formats. This feature gap is a shining example of Microsoft's monopolistic practices: the large percentage of the world uses Microsoft Office and its proprietary file formats, which encourages, if not requires, other businesses and individuals to purchase Office in order to communicate. Although there are dozens of ways to send a letter electronically, most are unfamiliar to the average typist, and thus the default format, "Microsoft Word .doc" is the ubiquitous, de facto standard. Unless a competing software package can flawlessly read and write this format, the public at large will be uncomfortable adopting this software, no matter what other wonderful features the program may have. The result is, obviously, a competitive advantage for Microsoft through predatory proprietary controls.

Until and unless Microsoft is required to publish complete specifications of all of its file formats (both existing and in the future) its monopoly will remain uncontested. Open Source software developers can reverse-engineer the Office file formats at significant cost, but never at 100% accuracy. Moreover,

Microsoft can change their file formats at a whim, disseminating the patched code for their software to read and write the new formats via automated update procedures or, better yet, through high-priced "upgrade releases," rendering competitors' efforts useless. Most of the world uses public file formats and communications protocols; the Internet itself was built using common, open-source software. The proposed settlement's requirement to publish the Windows API is a good start in this direction, but unless all of Microsoft's file formats and protocols are required to be kept in the public domain, competition, as well as cooperation, will be stifled.

Undoubtedly, Microsoft has improved the computer industry in many ways, but it has also used its success and power to crush competitors, stifle innovation, and infiltrate the Internet with proprietary software. The antitrust decision made clear the abuses Microsoft is guilty of. The penalty phase should not be toothless. Without controls, Microsoft will continue to put its own domination over the best interests of the world, resulting not in competition, but stagnation. Left unchecked, we are condemning the high-tech sector of the entire world economy to the direction of one monopolistic company.

I urge you to consider the future of computing in light of the past behavior of Microsoft Corporation. Thank you for your attention.

Sincerely,
Christopher M. Lake
5269 Sugar Ridge Drive
Sugar Hill, Georgia 30518
678-546-5900

MTC-00014701

From: Espey, John
To: Microsoft ATR
Date: 1/22/02 3:00pm
Subject: Microsoft Settlement

Dear sir or mam,

I would like to voice my opinion on the treatment of Microsoft and its founder, Bill Gates. I use a few Microsoft products for things at which they do particularly well (Excel, Windows 2000/XP, Outlook, Internet Explorer, and a few others). These products are excellent products despite the fact that there are no real competitors in the marketplace. None of these products has had any serious competition for the last few years, and yet they continue to get better with each new release. My point is that Microsoft does not think the same way that a typical federal employee or bureaucrat does. That is, Microsoft realizes what so few in our society today do, that in order to remain competitive in the marketplace, one must wake up every morning with a renewed focus on how to add more value for less money to one's customers. This is how Microsoft destroys their competitors, and this is why Oracle, AOL, Sun, IBM, Apple, Novell, et al. are so scared of this company. They are choosing to battle Microsoft in court under the ambiguous veil of the public good, rather than in the marketplace via innovation.

Well, I represent the public, and I do not feel that Microsoft has harmed me in any way. I am not a helpless victim as David

Boies would have you believe; I can make a choice for what software I want to install on my own machine. I do not need a legislator deciding what software needs to be installed on my machine. I want that to be decided in a free market. And if there are no competitors capable of surviving in the market with Microsoft, then so be it. The only way this can occur is if Microsoft provides a vastly superior product. While this may not benefit the owners of the competitors of Microsoft, it is certainly a tremendous benefit to consumers.

I truly resent the idea that a successful business is a threat to anyone. A band of thugs is a threat, a company that seeks to sell me products that are superior to those of their competitor is a good thing. I feel as if Microsoft is being attacked not because they are evil, but because they are good. What kind of message does this send to our children? Don't work too hard, otherwise your jealous competitors will sue you until you see your company broken in two? Please rethink the message you want to convey to the next generation of entrepreneurs.

I love my country because the express purpose of the government is to protect the right to life, liberty, and the pursuit of happiness. What these rights translate into is really one thing: the right to property. Without this right, no other rights can exist. Without this right, we would live in the Dark Ages or worse yet some backwards Middle Eastern country. Every person in this country has a right to their property as long as they aren't using it to coerce others. Why then is this right being denied to the shareholders of Microsoft? I think it is time to rethink the position that has been taken for the past 8 years about Microsoft. The owners, employees, and partners of Microsoft must be afforded the most basic of all rights. They must have the right to their own property and you must protect this for them.

Thank you for your time,
John Espey
Senior Consultant, Tallan, Inc.

MTC-00014703

From: Russel Gauthier
To: Microsoft ATR
Date: 1/22/02 3:18pm
Subject: Microsoft Settlement

I would think that the best way for them to resolve it would be the break up of the company into several companies, and the restrictions of certain extreme alliances occurring between these companies.

MTC-00014704

From: Matt Wills
To: Microsoft ATR
Date: 1/22/02 3:21pm
Subject: Microsoft

This is not so much a comment on the settlement, but a comment on the continued abuses on the part of Microsoft, this one involving the US Postal Service.

The following letter was published in the readers' comments section of MacInTouch.com.

I think that for the US Postal Service to take part in actively promoting Microsoft products at this point is a disgrace.
Date: Mon, 21 Jan 2002 23:12:35-0600

From: Cliff Crouch
Subject: United States of America "versus" Microsoft???

Just when I think events can't get any weirder, they do: I go into a United States Post Office today, and encounter a poster touting, not the latest stamps, but Microsoft Windows XP—*plus* a Windows XP promotional CD-ROM display.

Yes, today is the "Martin Luther King birthday" holiday, officially observed throughout the United States, but this is the one post office in my hometown of Houston that stays open regardless (it's at Bush Intercontinental Airport).

I take care of my business with the clerk at the counter and am headed back out when I observe, mounted in the window, a full-size poster (with the ubiquitous "flat-green-landscape-against-blue-sky" theme of MS's latest marketing barrage):

Microsoft
THE DIGITAL WORLD IS CALLING.
Please take a free demo CD.
Microsoft Windows XP

I stand there mystified for a minute, and the clerk calls out, "Did you need something else, sir?"

I motion to the poster and say, "What's this all about?" By way of response, she bustles over to a corner of her workplace and fetches a promotional CD-ROM in a pasteboard slipcase: "Microsoft Windows XP — eXPerience the excitement!"

"Here ya go!" she says as she hands it to me over the counter.

"So, uh . . . did Microsoft buy the Post Office recently?" I ask.

"Oh, I think you can get these from UPS or FedEx, too," she says blithely, by way of "explanation," and goes back to work.

On my way to the door, I now notice a similarly themed Windows XP "dump"—that is, a cardboard display with a niche for holding two-dozen or so promotional CDs—sitting atop one of the tables in the customer area.

Neither the poster nor the cardboard dump even pretends to have any tie-in to the U.S. Post Office; it's just plain, unvarnished Windows XP puffery . . . the kind of material that Microsoft pays to run in print media and on TV.

Has anyone else come across anything else like this? And am I simply naive, or is there something profoundly disturbing about such shenanigans going on even as District Court Judge Colleen Kollar-Kotelly allegedly mulls the proper punishment of the Microsoft Corporation, an illegal monopoly, for violating U.S. antitrust law?

Bemused, befuddled, & bewildered, Cliff Crouch

MTC-00014705

From: Bigelow, Willard
To: "Microsoft.atr(a)usdoj.gov"
Date: 1/22/02 3:23pm
Subject: Microsoft Settlement

Please tell the court that I support the independent states (including Massachusetts, California, Utah, etc.) set of sanctions.

Thanks
Will Bigelow

MTC-00014706

From: Kim Potochnik

To: Microsoft ATR
Date: 1/22/02 3:30pm
Subject: Microsoft settlement

Please settle this lawsuit. Enough of my taxes dollars have already been wasted on this!

Kim Potochnik
6927 Woodbury Ct.
Wichita KS 67226

MTC-00014707

From: David Shlapak
To: Microsoft ATR
Date: 1/22/02 3:32pm
Subject: Re: U.S. v. Microsoft: Settlement Information

Lessee, the proposed "settlement" "punishes" Microsoft by giving it access to millions and millions of school children in one of the few markets it has not (yet) managed to dominate. Hmmm. Why didn't *I* think of that when I was a kid?

"Well, son, what do you think would be an appropriate punishment for breaking all the windows in your school?"

"Dad, I think I deserve to be sent to Las Vegas with nothing but your Platinum Visa and a box lunch. That'll teach me!" Who's kidding whom here? Microsoft is not just a predatory monopoly, it's an unrepentant predatory monopoly and the proposed settlements *rewards* them for their behavior. What's the point? Better nothing that what has been proposed, but actual punitive measures would be the best policy of all.

Cheers.
David Shlapak
1235 Palo Alto St
Pittsburgh, PA 15212

"If you get confused, listen to the music play"

MTC-00014708

From: sbvandepol@mac.com@inetgw
To: Microsoft ATR
Date: 1/22/02 3:40pm
Subject: microsoft settlement

I am just a citizen who uses computers at home and at work. I have read about the proposed settlement and have the following comments:

1. Microsoft clearly has monopoly power and they use that power to limit choices in operating systems and applications. As a result, consumers have limited choices that are expensive (try paying \$500 for a copy of Microsoft Office software—a fantastic price that is sustained only by monopoly market power).

2. Microsoft is wildly profitable because they have used monopoly power to extract an unreasonable price for their products

3. The solution is NOT to allow microsoft to settle the case by printing monopoly money (ie give "free software" to schools that costs them \$.50 a copy but credits them \$500 —the monopoly price) AND extend their monopoly into the last area of the market they do not already control (education).

Microsoft is the Standard Oil of our time.

MTC-00014709

From: Daryl
To: Microsoft ATR
Date: 1/22/02 3:51pm
Subject: Re: U.S. v. Microsoft: Settlement

Information

from what I read concerning the revised proposed Final Judgment, it looks alright to me. I do have a concern however. The portion of a compliance officer sounds good. However, I am concerned about the compliance officer being appointed by Microsoft. I fear that Microsoft may abuse this by appointing somebody to this position who could be easily influenced by Microsoft. Thus determining that actions are compliant with the Final Judgment, even if such actions are questionable.

What I feel would be a good safeguard against this possibility, is that the Technical Committee would serve as a "supervisor" for the compliance officer. Meaning that the compliance officer would have to answer to the TC, and the TC making sure that the compliance officer's duties, and findings are unbiased in any way.

Thank you for allowing us, the public to have our input on the proposed Final Judgment against Microsoft. Having this avenue to submit our input helps me appreciate the judicial process even more, especially when major companies are on trial.

Sincerely,
Daryl Courtney

MTC-00014710

From: Jim DeLong
To: Microsoft ATR
Date: 1/22/02 3:57pm
Subject: Microsoft Settlement—Question About Form

Do you want comments to be in the body of the email itself or can they be attached as a Microsoft Word or WordPerfect file?

Thanks.

James V. DeLong
Senior Fellow—Project on Technology & Innovation
Competitive Enterprise Institute
1001 Connecticut Ave., NW—Suite 1250
Washington, DC 20036
(202) 331-1010 TEL (202) 331-0640 FAX

MTC-00014711

From: DGorman372@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 4:05pm
Subject: (no subject)
David J Gorman
5 Forest Gate
Yarmouth Port, MA 02675-1459
(508) 375-0971
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
January 10, 2002

Dear Mr. Ashcroft:

I want to use this opportunity to extend my support for the settlement concluded between Microsoft and the Justice Department last year. I believe the agreement is good for citizens as it allows both sides to focus their attention to other matters.

The settlement is extremely stringent and will require many changes from Microsoft. One good example is Microsoft's agreement to document and disclose for use by its competitors various interfaces that are internal to Windows" operating system

products. To assure compliance with the settlement's provisions, Microsoft has agreed to the formation of a Technical Committee to monitor Microsoft. This committee will also take complaints from third parties who feel Microsoft is not complying with their obligations.

In the long run, I think the settlement will also be beneficial to our economy. It will free Microsoft to focus their attention on developing new products that will boost efficiency and productivity. Also, by taking no further action at the federal level, the government will be able to use resources for more urgent matters. This company has brought us into the 21st century in a fashion we could only have imagined twenty years ago. When are we going to stop punishing success? Let's put an end to this and get on with life!

Sincerely,
David Gorman

MTC-00014712

From: J. David Freer
To: Microsoft ATR
Date: 1/22/02 4:22pm
Subject: Microsoft Settlement

Your Honor, It is my understanding that the forthcoming settlement involving the anti-trust case against Microsoft in fact does not uphold what other federal courts have determined necessary to break-up this monopoly. It is my opinion that this deal should not be entered into and that an agreement that more closely reflects the rulings of the other courts be enforced. I am certainly no expert, but it would seem that this agreement simply benefits Microsoft and does not really promote free enterprise in their areas of technology and development.

Respectfully Submitted,
J. David Freer
142 North 17th Street
Philadelphia, PA 19103
(215) 563-1322

MTC-00014713

From: Dave Smith
To: Microsoft ATR
Date: 1/22/02 4:25pm
Subject: Microsoft Settlement

To whom it may concern, I fear that the courts decision to force Microsoft to donate computers to educational institutions is a mistake. I believe it would give Microsoft an unfair advantage to influence educational PC users and young PC users. The educational market has been a large market for Apple, another competitor of Microsoft. I believe this settlement will not punish Microsoft for their illegal doings but only reward them in the long run.

Sincerely,
Dave Smith

MTC-00014714

From: Jim Keller
To: Microsoft ATR
Date: 1/22/02 4:27pm
Subject: Tougher penalties needed for MS
Dear Sir:

There is nothing new in Microsoft's behavior—their predation dates back to before the first finding against them. They showed their stripes back when WordPerfect, the #1 word processor by far (and still

arguably technically head and shoulders above MS Word even today) was trying to make the transition from DOS to Windows, and Microsoft was making noises about positive "co-opetition" with other vendors of word processors, spread sheets, etc. But WordPerfect was having tremendous problems, continually falling behind schedule because of conflicts with calls to the Windows OS that kept making the program crash. According to Info World insider article I read at the time, the internal slogan of the Windows programming team was "The Code's Not Done 'Til WordPerfect won't run." In other words, so much for the "Chinese Wall" between MS Program and Operating System teams. Even if they weren't trying to help their own programmers (which I'm sure they were); and even if the programmers weren't exploiting undocumented API's in programming MS's own applications (they were, and it's said, still are), it was still a joke because the OS team could sabotage the Independent Software Vendors (like W.Perfect) through making the API a moving target, and taking their time in informing the ISV (or possibly misinforming them).

Further, with all their holdings and activities now, they can leverage this kind of behavior much further than back at that time.

If this slap on the wrist is all MS gets after all of their anti-competitive activities, this Justice Department will be immortalized for its total failure to protect the whole American economy from one of the least responsible corporations of all time. I suggest watching the original Roller Ball movie with James Caan for a view of that world. Forget all the government-intrusion heavy remedies, though. The main thing is to open up the API's (not the entire code base) to level the playing field and levy major fines. And forcing a Linux Office?? That just lets MS start to dominate Linux. That's a real help???

Jim Keller
PO Box 84
Orangeburg, NY 10962

PS: I never worked for MS or WP and am only a semi-professional in this industry, but many people care a great deal about this case.

MTC-00014715

From: Ernest A. Beier
To: Microsoft ATR
Date: 1/22/02 4:30pm
Subject: Microsoft Settlement
Dr. and Mrs. Ernest A. Beier, Jr.
23515 Portwood Lane
Zachary, La. 70791
January 22, 2002
Attorney General John Ashcroft
U.S. Justice Department
Washington, DC 20530

Dear Mr. Ashcroft, We would like to take a moment to express our opinions regarding the Microsoft antitrust case. The settlement reached by your Department was fair and reasonable, and is sufficient enough to end this case. We see no need for further action at the federal level, especially while Microsoft is involved in negotiations with the remaining states to reach a conclusion.

Microsoft has made concessions that have set a new antitrust precedent. The company

will more or less allow the success of Windows to be a launchpad for the competitions" programs. Under the current agreement, Microsoft will allow computer makers to manipulate Windows to allow non-Microsoft programs to compete with Microsoft's programs. Most importantly, Microsoft has agreed not to retaliate against any company that engineers programs that compete directly with Microsoft. We fear that this case has had a rather negative impact on the IT industry as a whole and the economy. Putting this case behind us could have only positive ramifications on the market, and would ensure our country's place as the world technology leader.

Sincerely,
Ernest A. Beier, Jr.
Carlette G. Beier

MTC-00014716

From: Scott VandePol
To: Microsoft ATR
Date: 1/22/02 4:42pm
Subject: Microsoft Settlement
To whom it may concern

1. The proposed Microsoft settlement is not fair to the people of the United States. Microsoft will be allowed to print NEW monopoly money to settle its damages arising from the exploitation of the economy through monopoly power (i.e., give away software that costs the company almost nothing for each incremental unit but which is credited towards its damages at wildly overvalued levels due to its monopoly power). It costs Microsoft \$0.50 to make distribute a copy of Office software that it sells (only through monopoly power) for \$500. That is monopoly money, and Microsoft should not be allowed to settle its debts on this basis.

2. Microsoft proposes to settle its legal debt to the people by extending its monopoly into the only area it does not dominate—the education market. This is insane. This is rewarding a criminal enterprise. If Microsoft were to give away software to the education market outside of a settlement agreement, the government would rightly see this as an attempt to destroy a competitor—yet this is proposed as a settlement for monopolistic practices. Insane! I am just a citizen who uses computers at home and at work. I do not own any computer stock or work in the industry. Microsoft is clearly the Standard Oil of our time. In 1911 the DOJ had the courage to take on the largest and strongest economic private force in the nation for the sake of the people of the United States. How will history judge the current DOJ in its attempt to protect the people from Microsoft? I think the DOJ should feel the eyes of the future upon it and go for the correct answer that would restore true competition to all areas of the computer industry: break up Microsoft. In the long run, only this will restore competition to the marketplace.

Scott VandePol
Phone: 216-368-1679
Associate Professor of Pathology
Department of Pathology, BRB 922
Case Western Reserve University
10900 Euclid Ave.
Cleveland, OH. 44106-4943.

MTC-00014717

From: Steve Crandall

To: Microsoft ATR
Date: 1/22/02 4:44pm
Subject: Re: U.S. v. Microsoft: Settlement Information

The proposed settlement seems inadequate considering the magnitude of Microsoft's monopolistic activities. In my mind there are some central issues that relate to the security of the country. The wide-spread adoption of the Windows operating system has encouraged a computational monoculture. Monocultures in complex systems are always more susceptible to attack and recovery is slower. In light of the September 11 event I would like to see a major adoption of a non-trivial number of operating systems and application suites by the government. For example—for a five year period all government purchases (especially in the military and other sensitive areas) would have to include a minimum of three operating systems with none of them accounting for more than 49% of the total. This would constitute enough business for growing players that they could devote the appropriate resources to building world class product. Apple's OS X is clearly good enough now as is Linux and some of the BSD flavors.

Steve Crandall PhD
AT&T Labs-Research

MTC-00014718

From: Rich and Mary Gardner
To: Microsoft ATR
Date: 1/22/02 4:54pm
Subject: USAGGardner—Richard—1069—0116

Richard Gardner
11 Carpenter Lane
Newburg, PA 17240-9219
January 17, 2002
Attorney General John Ashcroft
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I am very happy to hear the Department of Justice has reached a settlement. I firmly believe that this settlement is in the best interests of the state, the IT industry, and the economy. Microsoft opponents would like us to believe that Microsoft has gotten off easy in this settlement, but this is not the case. Microsoft has been made to endure three long years of litigation in order to arrive at the terms of this settlement. The terms of the settlement, in my opinion, are fair and reasonable, and, if adhered to, will do much benefit consumers and avoid future anti-competitive behavior. Microsoft has already proven its willingness to comply with the terms of the settlement. They have agreed to establish a uniform pricelist, grant intellectual property licensure to third parties, the establishment of a three person Technical Committee consisting of software engineering experts to help with dispute resolution. With the current recession and its devastating effects on the state and federal budget, is very important that the technology industry be allowed to concentrate on business now rather than being distracted by a suit of this magnitude. The public appreciates your efforts to resolve this as soon as possible.

Sincerely,
Richard Gardner

MTC-00014719

FROM: Dale C. Cook
TO: MS ATR
DATE: 1/22/02 5:02pm
SUBJECT: Microsoft Settlement
8 Fruit Street
Woodville, MA 01784
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft: I am writing to urge that the Department of Justice settle the long prosecution of the Microsoft Corporation. As a consumer, I am more than satisfied that I have not been harmed and in fact have greatly benefited from the products and practices of this company. No one disputes that they dominate the software market for PCs in many areas but, at least in my opinion, no one has shown that they have used their position to unfairly price products or prevent others from competing.

Microsoft has agreed to the terms of the settlement and has demonstrated their willingness to change business practices and give more access to competing companies. It seems to me that they have agreed to more than was fair and what was specified in the original suit. Prolonging this settlement will only hurt the consumer, prevent a good company from developing new and innovative products for the consumer and end up costing the tax payer millions. This suit has gone on already much too long. There are other priorities (like a recession, unemployment and the war against terrorists. Please use your good offices to pressure my state and the others who are holding things up to desist and let us all get back to business. Thank you for your time.

Sincerely,
Dale Cook

MTC-00014720

From: edwinmil
To: Microsoft ATR
Date: 1/22/02 5:01 pm
Subject: Microsoft Settlement
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Ashcroft: I strongly feel that it will be in the public's best interest to stop federal action in the Microsoft case. This is why I am writing to urge your approval of the settlement that was reached in the case, and resist calls for those who want to keep the company tied up with litigation. I feel that the agreement is fair and reasonable, and has already proven extensive enough for nine states to approve. The agreement will require Microsoft to change the way it licenses, develops, and markets its software. It has agreed to stop retaliating against software and hardware developers that promote products that compete with Microsoft programs. Most importantly, these engineers and computer makers will be allowed to configure Windows so as to promote non-Microsoft programs that compete with the programs already included within Windows. Although these changes

seem to go against the principles of free enterprise and competition, Microsoft is willing to concede this in an effort to move the industry forward. Settling this case sooner, is truly better than later. The longer that the IT focuses on litigation, rather than innovation, the greater the risk that we may jeopardize our country's position as the world technology leader. I see no need for further federal action, and hope your office will see fit to allow the industry and the economy to move on.

Sincerely,
Edwin Miller
124 Burdick Avenue
Syracuse, NY 13208

MTC-00014722

From: DeGrands, Joel
To: Microsoft ATR
Date: 1/22/02 5:03pm
Subject: Microsoft Settlement

I feel that Microsoft has over the years hindered the development and acceptance of technologies because as a company they have refused to work with other industry leaders to establish standards. Microsoft is an incredible marketing company, but in the process of promoting their products, they have destroyed smaller companies that have often tried to bring amazing technologies to the marketplace.

Joel DeGrands
Director, Webcasting Technologies
703-810-8100 x 239
Medical Consumer Media, Reston, VA
A HealthAnswers, Inc. Company.

MTC-00014723

From: Robaron250@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 5:09pm
Subject: Microsoft Settlement

As a senior citizen and a member of the voting public I deplore the intrusion of state governments into a rational Justice Department settlement of the Microsoft litigation.

Surely they've been aggressive—isn't that the nature of competitiveness in the business world? I feel that the states are not so much seeking redress for their constituents but rather are hopeful of a financial windfall. Enough, if you please!!!

R.J. Corbliss
Barnegat, NJ

MTC-00014725

From: Jessica Gui
To: Microsoft ATR
Date: 1/22/02 5:21pm
Subject: Microsoft Settlement

I'm disagree with the statement that "Microsoft repeatedly and aggressively violated U.S. antitrust laws and was liable for its illegal conduct."

I believe it's common business competition, and it's should benefit for consumers and technical progress.

Sincerely,
J.G.

MTC-00014726

From: Robert Lozonne
To: Microsoft ATR
Date: 1/22/02 5:24pm
Subject: Microsoft Settlement

Hello I want to ask that DOJ leave Microsoft alone! Mr. Gates et.al. have done more for the nation (the world?) than many many people that have come before. I use Microsoft products as well as many others, and they have done nothing but improve. I didn't start because Netscape was losing browser share? Wasn't Netscape acquired by AOL who merged with Time/Warner thereby creating one of the largest media and content delivery monopolies in (arguably) history? Please save Microsoft,

Robert Lozonne

MTC-00014727

From: vsun
To: Microsoft ATR
Date: 1/22/02 5:25pm
Subject: Microsoft Settlement

Dear Judge, I am writing because I heard about the Proposed Final Judgment (PFJ), and I do not believe it should go through. Microsoft has infringed on antitrust laws, and allowing and even encouraging this kind of monopoly to occur is not good for the consumers—the American people. Imposing one standard on companies and on home users would not have positive results. Microsoft has already done enough damage to competition—please don't let it do anymore.

Sincerely,
Valerie Sun

MTC-00014728

From: TomBat2@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 5:25pm
Subject: MICROSOFT SETTLEMENT

Dear Sirs:

I feel strongly that Microsoft's innovation in computer operating systems has seen the driving force behind the rapid expansion of computers into almost every business and home. Some business practices, while structured to further the growth of their company, have not hurt the consumer. To the contrary, their continuous innovations have consistently expanded the usefulness of computers at continuously lower cost. The antitrust suit may have had some merit relatively to their competitors but little or no value to consumers. The antitrust proceedings seem to have the tone of a vendetta rather than rational legal proceedings. The time has come to end it.

Sincerely,
Thomas and Beverly Thornton

MTC-00014729

From: Margaret Sorrells
To: Microsoft Settlement
Date: 1/22/02 12:42pm
Subject: Microsoft Settlement
Margaret Sorrells
2394 Bold Springs Road
Monroe, GA 30656
January 22, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech

industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief. Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Margaret Sorrells

MTC-00014730

From: Jared Nuzzolillo
To: Microsoft ATR
Date: 1/22/02 5:39pm
Subject: Microsoft Settlement

I am writing to you with the hope that one honest voice may be heard above the shouting and screaming of special interest groups across the nation. I'd like to start by stating that I have no financial interest in Microsoft whatsoever, nor do I belong to any organization that has said interests. I am coming to you, specifically, as a freedom-loving American consumer. Microsoft has, time and again, created the cheapest and most efficacious software available in its industry. I use Windows daily, and have found it both easier and faster than alternative products I have used (and there are many). Microsoft's software is, in a single word, superior. Microsoft is currently being penalized by a lawsuit raised, not by the consumers, but by those who failed to compete with them fairly, and seek special help from "Uncle Sam" to force their own software into the market. I don't want their slow and unreliable software, and as an intelligent, (mostly) free human being, resent the fact that you are attempting to remove yet another choice from me. Success and innovation should be rewarded in our nation, not penalized. Bill Gates is an icon of the American dream, and to steal/destroy/control his property is an affront to civilized society as a whole. It is your job to protect his, and the other Microsoft shareholders, rights, not to infringe upon them. Please, take this opportunity to show the citizenry that the government of our proud nation will protect the rights of its people, and not give in to lobbyists and talking-heads. Please, preserve our freedom.

Sincerely,
Jared Nuzzolillo

MTC-00014731

From: John Boone
To: "Microsoft.atr(a)usdoj.gov"

Date: 1/22/02 5:56pm

Subject: microsoft settlement

please break up this evil company. a slap on the wrist is entirely too lenient. every successful product that ms has ever sold owed its success to the o/s monopoly. that some innovation occurred in the past few years is not enough. the technology world has been held back decades by microsoft's re-gurgitated dos-derivative software products. voice and hand-writing recognition and other advances have been held back because they did not suit microsoft's agenda. wordperfect, netscape communicator, et. al. were all superior products to their ms counterparts, yet all have disappeared because ms was able to leverage its o/s monopoly to their destruction.

MTC-00014732

From: ninyrbod@msn.com@inetgw

To: Microsoft ATR

Date: 1/22/02 5:48pm

Subject: Microsoft Settlement

It is obvious to the informed observer, that the Antitrust case against Microsoft is not a case of righting wrongs, but a legally sanctioned method for Microsoft's competitors to achieve, via the courts, what they cannot competently achieve in the open marketplace. Within the group, containing hundreds of persons that I have discussed this issue with, I have yet to find anyone who believes it to be anything else.

Therefore, it is my assessment that this antitrust case has and will continue to set the stage for a publicly accepted establishment of a marketplace of litigation that will supplant the marketplace of competition in the United States and very soon the world at large, and all at the ultimate expense of the consumer.

Even to the uninformed, it is obvious that it is not difficult to determine if someone or some corporation is and/or has used "strong-arm" tactics, instead of open competition, to gain and/or maintain their position in the marketplace. And it is also quite simple to understand that strong-arm, mafia tactics or anything using the same methodology should be punished according to a strict code of justice. On the other hand, open competition via superior quality, lower prices, free products or services, aggressive marketing, etc. should be highly encouraged to keep the marketplace healthy and long-lived. Never should such competition be punished as it is being punished in the antitrust case against Microsoft.

If such punishment is allowed to be upheld in the mode desired by Microsoft's competitors, then we will surely soon see the end of the the business world as we know it. It will become the competition of the strongest litigator and all else that once drove the marketplace will be lost to history.

Allen Dobrynin

MTC-00014733

From: CS

To: Microsoft ATR

Date: 1/22/02 5:55pm

Subject: Microsoft Settlement

Your Honor, I am writing to voice my disapproval to the settlement of the Microsoft Anti-Trust Case. This settlement is insufficient to prevent Microsoft from

conducting similar anti-competitive practices that it had been doing for so many years. It does not address the fact that previous court sessions have concluded Microsofts guilt to anti-competitive practices.

I therefore urge you to reconsider the remedies set forth on the settlement and to solicit changes to it so as to prevent Microsoft from conducting business as usual in the future. Most importantly to ensure that the remedies foster and cultivate an atmosphere for future creativity and innovation in the software industry.

Sincerely,

Crispian

A Voice of the Wilderness

The Small Guy

The Sole Vote of Millions

The Insignificant

The Consumer You are Entrusted to Protect

MTC-00014734

From: R Warfield

To: Microsoft ATR

Date: 1/22/02 6:00pm

Subject: Microsoft Settlement

I am writing to express both my disagreement with the judgment against Microsoft in the antitrust suit, and my view that any penalty forced upon Microsoft as a result of this judgment will be unjust and destructive. Everyday people all over the world have chosen to use Microsoft products, not because Microsoft forced them to use the products, not because there are no competing products, not because everyone loves the Microsoft logo, but because the products are superior to their competitors' products. As a consumer, and as a computer industry professional, I am outraged that the U.S. Government, specifically the Department of Justice, is attempting to control what products are available to me in my profession, based on their views of fair competition rather than my views, and the views of an overwhelming majority of consumers who choose Microsoft products rather than inferior products of their competitors.

This case was not brought about by consumers. This case was brought about by Microsoft's competitors who, rather than focusing their resources on creating better products, and improving their existing products, have chosen to portray their failures as the result of Microsoft's successes. This is complete nonsense. Microsoft's success has led to greater markets for even these competitors; markets the competitors were unable to create on their own, and a flourishing high tech industry.

To punish Microsoft is to punish success, and to reward failure. This is a political position that has led to corruption and destruction throughout history in every region and among every people where it has been implemented. Again, Microsoft has never used force in any way to influence the marketing or sale of products. But the U.S. Government is now in the dangerous position of doing exactly that. Whose interests are to be protected by punishing Microsoft? Obviously not the interests of the consumers, who freely choose which products they purchase. No, it will be the interests of competitors who have failed to produce

superior products. The foremost function of the U.S. Government is to protect individual freedom and property. This function should not be abandoned. Microsoft's success is the result of individual choices by individual consumers. This success should be congratulated, not punished.

Richard Warfield

50 Grace St

Jersey City, NJ 07307

MTC-00014735

From: Girish Vasvani

To: Microsoft ATR

Date: 1/22/02 5:58pm

Subject: Microsoft Settlement

Hello, My name is Girish Vasvani, am a software industry employee in California.

My resident address is ,

34144, Kasper Terrace,

Fremont, CA-94555

Ph: 510-742-1549

Over the past three years every federal court that has reviewed the Microsoft antitrust case has found that Microsoft repeatedly and aggressively violated U.S. antitrust laws and was liable for its illegal conduct. The way Microsoft "Crushed" Netscape using it's Monopoly power is, pretty evident, and if Microsoft is not punished adequately for this, people in America will not trust Anti-trust Laws any more. I don't agree to Proposed Final Judgement in Microsoft Settlement case for following reasons.

1. The PFJ does not End Microsoft's Monopoly and Even Allows Microsoft to expand its Monopoly into Other Technology Markets. The deal fails to terminate the Microsoft monopoly, and instead guarantees Microsoft's monopoly will survive and be allowed to expand into new markets. Microsoft has always found it advantageous to leverage its operating system monopoly position in order to maximize its own profits, which many of us have experienced firsthand. In other words, to maximize profits (the goal of every public company), monopolists are almost forced to maximize the market power that their monopoly gives them. And this is why all monopolies must be carefully watched to make sure they don't abuse their monopoly position. Indeed, many monopolies are either broken up or carefully regulated in order to protect the public interest. Why is Microsoft allowed a waiver to this general rule? Does the Justice Department think that Microsoft is going to suddenly change its operating methodology? The proposed deal with the justice department does not address the fact that Microsoft has abused its monopoly and is likely to do so again, and again, and again in the future to the detriment of others.

2. The PFJ Does Not Adequately Address Anticompetitive Behavior Identified by the Appeals Court. Retaliation. The proposed settlement does not address Microsoft's proven ability to retaliate against would-be competitors and to, in effect, appropriate the intellectual property of its competitors ? and even its partners ? in fact all who do business with Microsoft. The Appeals court found such past conduct by Microsoft highly egregious yet the Agreement does not address these issues. Again, many of us have been on

the receiving end of these types of Microsoft bullying tactics.

regards,
Girish

MTC-00014736

From: Delfin J Beltran MD
To: Microsoft ATR
Date: 1/22/02 6:01pm
Subject: Microsoft Settlement

The Microsoft Settlement should be completed. Programs developed using Microsoft's proprietary programming code obtained under this settlement should be enjoined from stating that the new, non-Microsoft product is in any way compatible with or certified by Microsoft unless it has been submitted to Microsoft for evaluation, testing and determined to be in-fact compatible with MS software or code and or certified by Microsoft. I have been involved in computation development and consulting since 1970 and feel that this trial was as injudicial as the ATT suit.

Sincerely;
Delfin J Beltran, MD

MTC-00014737

From: brownsm
To: Microsoft ATR
Date: 1/22/02 6:10pm
Subject: Microsoft Settlement

To whom it may concern,

My name is Susan Brown, I am a professional who has been in the Information Technology field since the 1970's. As a consumer interested in using the best and most reliable products available, you must know that I would select Microsoft products any time of the day and for the rest of my life! Those who are leading the attack against Microsoft must stop this crusade against a company that has managed to develop the best products possible for appreciative consumers. The fact that other envious companies have not been able to produce valuable products gives no one the right to attack and to destroy a company who has! Leave Microsoft alone and be glad that Bill Gates and his team have brought the whole world into the enlightened, productive, and efficient time that we, the consumers, enjoy today!

My name is Susan Brown; I am in support of Microsoft and you can contact me directly at (562) 923-7873

MTC-00014738

From: Frank
To: Microsoft ATR
Date: 1/22/02 6:14pm
Subject: Microsoft Settlement

Dear Sir/Madam:bbb

Microsoft is guilty on not just one count but on several counts. First, Microsoft has provided a quality software platform from which hundreds of thousands of American software companies could launch their products. Secondly, as a corrolary directly and indirectly Microsoft has created economic value for the United States of America. providing jobs to millions of Americans. Thirdly, Microsoft has demonstrably, thankfully, and undeniably, led the way in providing stability and growth to the overall economy of The United States of America. Fourth, in a free economy, there

are in fact no monopolies since no one is previnted from entering the market with their products. Accordingly, the only monopolies in the United States are the government created monopolies such as the utility companies, and the Post Office. Neither of which should exist as such in a free economy. Fifth, the argument that we need a level playing field is an oxymoron since there is no sports analogy here whatsoever. The quality products are not a matter of competition but of productivity. Competition comes into play as a secondary issue and requires no other adjudicator other than the market place. Miocrosoft's detractors would lead you to believe that it has market share because it shoves products down the throats of its customers. This argument belies the fact that customers can purchase whatever they wish to purchase. And, the argument that a consumer would like to see the so called underdog get a fair shake and therefore Microsoft should be made to turn over part of its product to a competitor is the sheer use of government force at the behest of those weak sisters who can not compete in the open market. It is clear that microsoft's detractors are its major competors rather than their customers. Customers do not materialize out of nowhere—they come forth when their is value to be had from the market place. Finally, the argument that Microsoft has a monopoly is belied by simply looking at the market place historically. If large companies could dominate the market place in a free market simply by some sort of intangible force that its detractors allege then we must ask: "How did Sears beat Montgomery Ward? How did K Mart beat Sears? How did WalMart beat KMart? And yes, how in the world did little Microsoft take the PC software market hands down away from IBM?." The answer is simple.

These companies all had excellent quality products. When other management and its innovators became more productive, American individuals percieved the new source of excellence and made their purchases accordingly. Accordingly, the market place in a free economy guarantees that the best products are always available to the market. Rather than peanalizing Microsoft it should be rewarded for its creation of opulence for America in the form of international economic excellence; better software tools for American industrial production; and the contribution to a higher standard standard of living enjoyed by all. Why is this heroic American company being slapped on the wrist at all. Microsoft should be rewarded for being what it is—one of the best examples of genius and creativity.

Regards,
Frank Schneider
Elkins, West Virginia

MTC-00014739

From: Roger Chamberlain
To: Microsoft ATR
Date: 1/22/02 6:17pm
Subject: Microsoft Settlement
10671 S Willowstone Circle
South Jordan, UT 84095
January 22, 2002
Attorney General John Ashcroft
US Department of Justice,

950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I am deeply concerned for the future of America. For the past three years, the Microsoft antitrust case has remained unresolved in the federal courts. America's economy, already declining, has been injured by the costs of the trial, both private and public. The technology industry has lagged during the proceedings because Microsoft fears the products of its innovation will be opened to what amounts to legal plagiarism. Now, when a solution seems imminent, Microsoft's competitors and the states in which they hold sway are actively seeking to undermine the proposed settlement and bring further litigation against the Microsoft Corporation. I find myself questioning the sanity of their motives.

Microsoft was indeed in violation of antitrust laws, and was, by law, required to account for its wrongs. I object, however, to the avarice that now motivates the remaining litigious parties in the suit. Microsoft's wrongs have been justly righted, and the settlement prohibits further antitrust violations. This no longer seems to be a question of fulfilling the requirements of the law, rather, it has become a rally to destroy Microsoft and give the underdogs a piece of the corporation on which to stand. The destruction of Microsoft will not suddenly enable its competitors to produce magnificent software that will blow foreign technologies away. Indeed, were Microsoft to be crippled by the results of this trial, it is quite probable that America would lose its competitive edge in the international market and, instead of driving our own technology industry, we would become driven by those who do not have our best interests at heart.

The settlement is entirely fair. It not only restricts future monopolistic behaviors on Microsoft's part, it also requires the corporation to make a variety of changes in its products and procedures that would enable its competitors to piggyback on Microsoft technology and therefore more easily compete. For example, Microsoft has agreed to reformat upcoming versions of Windows so that the operating system will support non-Microsoft software. Competitors will also be allowed broad rights to reconfigure Windows to their own specifications. Moreover, Microsoft has agreed to provide third parties acting under the terms of the settlement with a license to applicable intellectual property rights. I do not believe any more should be required at the hands of Microsoft. I pity smaller companies who are truly unable to compete. I am sorry Microsoft was successful and they were not. But I do not believe those who made good decisions should be punished for the mistakes of others.

Microsoft was a big part of the computer boom, and a lot of companies were carried with them. Since then, Microsoft has not ceased to put money back into the economy. Antitrust laws are supposed to be in place to protect the consumer. I believe it is time to reconsider the laws and how it will affect America in a global economy. Microsoft's competitors are using the law to further their own interests; if they are successful, the

consumer will suffer terribly. Foreign-based companies have a distinct advantage over American businesses because they do not play by the same rules. It is vital that the American interest is protected, and if that means sacrificing those who are unable to take a hit and keep moving, then so be it. If weak companies are protected at the expense of the strong, the entire industry is weakened. If America continues to punish the frontrunners, we will only succeed in putting ourselves at the mercy of foreign companies. I urge you to support this settlement, and not to allow industrial narcissists to put the entire economy at risk. The future of America is at stake.

Sincerely,
Roger Chamberlain

MTC-00014740

From: Blake Ross
To: Microsoft ATR
Date: 1/22/02 6:21pm
Subject: Microsoft Settlement

My name is Blake Ross. I'm a concerned citizen. I don't believe the proposed final judgment does anything to remedy the monopolistic behavior that Microsoft has engaged in for years. For example, what tangible steps does the judgment making toward preventing Microsoft from using its dominance in the operating system market to leverage its other products? I recently installed Windows XP and was appalled at the prevalence of bundled Microsoft products. Microsoft Windows Media Player, MSN Internet Explorer, Windows Messenger, etc.—they're all over the place, and the user can't uninstall them! In fact, just trying to delete the programs from your file system makes them magically reappear. Why is Windows Messenger so "tightly integrated" that I can't even uninstall it? It used to be called MSN Messenger, and it used to be separated—then Microsoft just renamed it Windows Messenger, and it immediately became a "necessary component" of Windows. How can companies compete against this monolith? Do something that makes a difference.

Blake Ross

MTC-00014741

From: D R
To: Microsoft ATR
Date: 1/22/02 6:22pm
Subject: Microsoft Settlement

I am writing in response to a call for public comment on the proposed Microsoft settlement.

I use Microsoft products, and I benefit greatly from them. This includes the various versions of their browser over the years. The notion that I'm a helpless victim who can't choose software that's useful to me, is deeply insulting. I don't think the government has any right to decide what can be in my computer, and for the same reason I don't think the government has any right to determine what computer I may or may not buy, or what computer features. I want you to know that I resent the idea that a successful business and its products are a threat to anyone. Remember that the complaint against Microsoft originated not with individual consumers, or with

Microsoft's partners, but with Microsoft's unsuccessful competitors.

Failed businesses must not be allowed to set the rules for the markets in which they failed. For politicians to protect some businesses from others is a dangerous policy, leading to corruption and economic disaster as shown in many other countries.

I want a *free* America where anyone with enough intelligence and hard work can be a self-made man like Microsoft Chairman Bill Gates. I want to see an America where success is not throttled but embraced.

Lastly, I would remind the court of its fundamental job. Microsoft, like any other business or person, has a right to its property, and it is the job of the government (including this court) to protect this right, not to take it away.

Sincerely,
David Rowlett
14444 Beach Blvd #18-119
Jacksonville, FL 32250

MTC-00014742

From: Patricia K. Walker
To: Microsoft ATR
Date: 1/22/02 6:24pm
Subject: Microsoft — Yeah

Microsoft has written off approximately \$750 million in Attorney fees and costs on this litigation at the expense of its stockholders:

1. Under the proposal's terms, Microsoft would have given disadvantaged Public Schools more than \$1 billion in funding software, services and training, and around 1 million Windows licenses for renovated PCs.
2. The provisions of the agreement are tough, reasonable, fair to all parties involved, and go beyond the findings of Court of Appeals ruling. Still, while consumers overwhelmingly agree that settlement is good for them and the American economy overwhelmingly want to move beyond this litigation, nine states have refused to join the settlement.

This has been a tremendous cost to the taxpayers because of all states where the Attorney Generals have spent millions of dollars on this case. We feel the settlement is fair and good for the consumers and the economy, in addition to being a tremendous help to the school system.

Sincerely,
Ray F. and Patricia K. Waker
3347- W. Sequim Bay Rd.
Sequim, Wa. 98382
TAXPAYERS

MTC-00014743

From: Donna Brown
To: Microsoft ATR
Date: 1/22/02 6:35pm
Subject: antitrust law abuse

Justice Dept: Please do the right thing and keep the law. Let Microsoft also keep doing what they have been doing....making reasonably priced new programs. I really like their work which is easy for a computer dummy like me to use. Let's keep Microsoft in business, please!!!

Sincerely,
Donna Brown

MTC-00014744

From: Peter Skan

To: Microsoft ATR
Date: 1/22/02 6:25pm
Subject: Microsoft Settlement

Dear Sir, I would like to submit the following comments on the proposed settlement of the United States v. Microsoft case.

I believe that the remedies described in the proposed final judgement are woefully inadequate, either as penalties for Microsoft's past abuse of its monopoly power, or to restrain Microsoft from similar behavior in the future.

To be more specific, the proposed settlement:

1. Does nothing to stop Microsoft illegally bundling middleware programs such as media players, browsers and instant messaging software, etc. with the operating system. As can clearly be seen in the recent release of Windows XP, Microsoft continues to extend its monopoly unabated.

2. Does not remedy the damage done to Netscape and other independent browser suppliers.

3. Does not remedy the damage done to the Java programming language and it's users.

4. Does nothing to lower the "application barrier to entry" which was illegally protected by Microsoft.

5. Is ambiguous and contains many loopholes that are subject to Microsoft's interpretation.

6. Lacks a sufficiently strong enforcement mechanism.

7. Will do little to change Microsoft's behavior or restore competition.

In summary, the proposed final judgement is not in the interest of consumers. Much stronger remedies are required if consumer choice, competition and innovation are to be preserved and enhanced. In my view the original remedy, which specified the breakup of Microsoft, was much more in line with the magnitude of the injuries it has caused. N.B. I am a resident of the United Kingdom, but nonetheless feel that my views should be taken into account since Microsoft's conduct has affected both companies and individuals in all parts of the world.

Yours faithfully,
Peter Skan
23 Tarrant Drive
Harpندن
Herts
AL5 1RP
UK.

MTC-00014745

From: D R
To: Microsoft ATR
Date: 1/22/02 6:38pm
Subject: Microsoft Settlement

Dear Sir or Madam: I am appalled by the Department of Justice's ?case? against Microsoft. Even if Microsoft were a ?monopoly? (which it isn't; the ?Bill Gates controls 90% of the market? claim is false and bizarre), the government should have no right to prevent private monopolies. The Antitrust laws are a mess of contradictory edicts intended by their collectivist originators to punish successful individuals and businesses simply for being successful. Antitrust should be ruled unconstitutional.

To label as ?criminal? business activities that involve superior ability and strategy but

do not involve physical coercion, to declare honest businesspeople to be "dishonest," to damn the actual working of the free market, to reject and seek to undo by force of law the legal choices of millions of consumers worldwide? is a monstrous thing, an intrusion of a gangster into a marketplace, a perversion of justice. Whiners, cry-babies, and losers who oppose Microsoft are running to Washington to "correct" the free market. Why? Because Microsoft refused to underwrite their aspirations. Because this Big Company didn't behave like Big Daddy and let every two-bit Mom and Pop outfit ride to riches on its coattails. The opponents of Microsoft are declaring that they are owed not only a living, but also all the glory, success, wealth, and adulation that Bill Gates has. But, for what? The consumers (I am one of them) didn't agree; the suppliers didn't agree; the market, as such, didn't agree. What we're seeing in the loser companies who complained about Microsoft originally (consumers love Microsoft, only their competitors do not), is no more than a desire for unearned wealth and prestige and an immoral feeling of envy and jealousy when they don't get it. This leads them to demand government action? against someone whose only "crime" has been achieving success in that particular field. The court, at the very least, must uphold the free market and the right of property.

Yes, there will be winners and losers—but as long as no physical coercion, or threat thereof, is involved, the winners and losers deserve their lot. When businessmen are punished for their achievement, and the greater their success the harsher the penalty, society is devoured by envy, and the end of that road is the grim egalitarianism that has ravaged every socialist wasteland.

Patti Rowlett
14444 Beach Blvd, #18-119
Jacksonville, FL 32250

MTC-00014746

From: Ronald C. Steorts
To: Microsoft ATR
Date: 1/22/02 6:39pm
Subject: Microsoft Settlement

Please give serious consideration to the attached letter.

MTC-00014747

From: Tomschaffter@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 6:44pm
Subject: Microsoft Settlement

The proposed settlement is fair to all parties, is in the public interest and should be accepted by the court. Our free enterprise system is why we have the strongest economy in the world and the most admired society in the world. Let us not hamper this envied position with governmental and judicial intervention. To maintain and advance this strength into the future we need less governmental and judicial intervention—not more. Innovation in all areas of all industries is necessary to maintain and enhance productivity to remain the world's leading economy and power base. This case is an example of innovation being smothered before it has a chance to be judged by consumers. In our free society consumers are

the ultimate judge of products offered for purchase. To date consumers have voted in favor of Microsoft products with their purchases. Acceptance of this settlement will allow continued product offerings to consumers for their vote.

Thank you,

MTC-00014748

From: Christy21J@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 6:47pm
Subject: Microsoft Settlement

To whom it may concern, Since America was founded on freedom, I find it as my duty as an American citizen to bring up concerns I have with a recent ruling. The Proposed Final Judgement is perhaps the easiest, but not the best answer to this problem. Microsoft should not have the right to cripple modern technology. Our republic and business blood line is based on competition. I urge you to review violations committed by Microsoft.

Loyally,
Christine C. McGill, (352) 846-8578
CNL Investments Marketing Rep

MTC-00014749

From: John Castelein
To: Microsoft ATR
Date: 1/22/02 6:53pm
Subject: MS anti-trust case

Mz. Hesse, I have received a mailing from a Microsoft sympathetic organization that pointed out that there is a public comment period and where I might send my thoughts to best be heard. My supervisor at work encouraged me to pitch in so I thought I'd put in a word from a person intimately familiar with the dynamics of the computing industry. My view of this business' effects (over the last 20 years I've been associated with its products, primarily in a support role) is that it has admirably worked to create affordable products for mass consumption. I've used the resulting products and supported them for years and though I often wished they'd be of higher dependability and quality, they are flexible enough, powerful enough, and inexpensive enough to be made available widely and positively impact businesses, home computing users, and advanced computing as an efficiency tool worldwide. I think its business practices have been rabidly capitalist (unnecessarily so), and damaging to firms involved with hardware, software, and even creativity in general. The techniques used by it have been seen before at least 100 years ago, and resulted in anti-trust legislation to protect everyone and promote fair and free commerce. Those rules and laws apply very much to the way MS has behaved and I don't feel they have been effectively excused, at all, by the government regulators and law enforcement whose responsibility this lies with. I think they should be strongly and immediately employed to once again send a message, to all, that free and diverse commercial activity is desirable for a healthy capitalist economy and desirable to promote and encourage innovation (so that those who create the good may be rewarded and thus continue to do so). The scope of the harm that has already been done to so many

companies can only be guessed but is larger than any of us would probably guess. (the "It's a Wonderful Life" or "Scrooge" effect) Companies, squashed, products stifled or acquired cheap, lives altered, revenues lost, taxes foregone, jobs eliminated before they were even created. That is the cost of the behavior of an organization on an unchecked monopolistic rampage, and that is the price the world has and will continue to pay as long as just and decisive action is withheld.

From:
JC, Systems Analyst, BS CS, MBA MIS
(319) 373-7744

MTC-00014750

From: Peter Burkholder
To: Microsoft ATR
Date: 1/22/02 6:58pm
Subject: Microsoft Settlement
Hash: SHA1
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Dear Ms. Hesse:

I would like to register my opposition to the proposed remedy in its current form. My comments are based on twelve years experience as a software developer, systems administrator and security manager on a variety of hardware platforms and operating systems. Although the problems with the Proposed Final Judgement (PFJ) are many, I will only cite a few here.

1) The PFJ does not require Microsoft to release the format specification for Microsoft Office documents. These formats for spreadsheets (Excel), documents (Word) and presentations (Powerpoint) have become a de facto standard. Competitors in the marketplace need to interoperate with these formats and need access to the format specifications well before changes are released on the market.

2) The PFJ does not prohibit anti-competitive license terms with "enterprise" users such as universities, corporations or state and local governments. The license agreements are often written on a "per-processor" basis, and remove incentive to use non-Microsoft operating systems on the covered hardware platforms. Such per-processor licenses were prohibited by the 1994 consent decree for OEMS, and should be extended to all end-users.

3) The PFJ defines API narrowly, excluding many important interfaces to the operating system. It should be extended beyond middleware to include all Windows APIs and all network interface protocols, including Microsofts extensions to the Kerberos authentication protocol.

Further discussion of the PFJ's shortcomings are detailed in a comment from my colleague Dan Kegel. I urge the that this remedy be thoroughly revised to adequately curtail Microsoft's historic and continuing anti-competitive practices.

Yours sincerely,
Peter Burkholder
2229 S Gilpin St —o
Denver, CO 80210-4616
(303) 282-7738

MTC-00014751

From: Jean Devereaux

To: Microsoft ATR

Date: 1/22/02 7:05pm

Subject: Microsoft Settlement

Let's put an end to the bickering and settle the case. We don't need more litigation.

L. Jean Devereaux

Soquel, CA

MTC-00014752

From: Peter (038) Linda Smith

To: Microsoft ATR

Date: 1/22/02 7:09pm

Subject: Microsoft Settlement

Gentlemen: The provisions of the agreement are tough, reasonable, fair to all parties involved, and go beyond the findings of Court of Appeals ruling. It is my opinion that the best interest of the public would be served if the case was settled.

Thanks . . . Pete

Peter F. Smith

Vendor Account Manager

Digital Commerce Corporation

860-767-7722 [OFFICE]

860-767-7788 [FAX]

860-227-4433 [MOBILE]

MTC-00014753

From: Scott Leader

To: MS ATR

Date: 1/22/02 7:15pm

Subject: Microsoft Settlement

Dear Judge, The key word here is options. I don't think Microsoft has been fair in allowing other options to make themselves known. Not only would more options be present if Microsoft were held more strictly to the anti-trust laws, but also the options would be cheaper which in turn would promote spending on more computers from the consumer market. This in turn would stimulate the computer market. I am not saying that Microsoft is a bad company or that their products are bad, I would just like to see consumers treated better. Give us options!!

Thanks For Your Time,

Mr. Leader

MTC-00014755

From: Jordan Zimmerman

To: "Microsoft.atr(a)usdoj.gov"

Date: 1/22/02 7:18pm

Subject: Microsoft Settlement

To whom it may concern: I'm writing because I understand you're soliciting comments on the proposed Microsoft settlement. I want you to know that I am strongly opposed to the Anti Trust attack on Microsoft. I believe that Microsoft has done nothing wrong and is being mugged by its competitors. Bill Gates and Microsoft are entitled to the fruits of their labor and property.

I use Microsoft products every day to make my living. I am not forced to do this. In the past, I've worked on products for Apple's Macintosh. In the past five years, I decided to switch to developing for Microsoft products. The idea that I was compelled to do this against my will is insulting.

Please end this cloud that is hanging over Microsoft and harmed countless people.

Jordan Zimmerman

Altura International

Catalog City

MTC-00014756

From: JeanDavid

To: Microsoft ATR

Date: 1/22/02 7:38pm

Subject: Microsoft Settlement

Please read attached letter on behalf of the Microsoft settlement.

MTC-00014756 0001

37 Crown Point Lane

Williamsville, NY 14221-1865

F MERGEFIELD LCSZ Stuart, FL 34994<>

January 22, 2002

Attorney General John Ashcroft

US Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530-0001

Dear Mr. Ashcroft: It is three years later, and we still are talking about the Microsoft antitrust case. It certainly is a landmark case, and I would like to say that the current settlement agreement is in the public interest. Microsoft has endured prolonged legal proceedings and negotiations to reach the current agreement. Thankfully, it is one that is beneficial to all parties involved. The government was able to ensure that consumers and the computer industry are protected from unfair business practices. Microsoft has now agreed to amend its practices, open up its information, fully allow non-Microsoft applications in Windows, and comply with an oversight committee monitoring its conduct.

This is a remarkable achievement and should remain in its present form. IF MERGEFIELD PARA2 But clever people like me who talk loudly in restaurants, see this as a deliberate ambiguity. A plea for justice in a mechanized society.<>

Microsoft, with its improved practices, is good for our troubled economy. While the technology sector experiences decline, the company continues to create innovative and high-quality solutions. Microsoft supports my work as a computer user, and so I write to you today to support Microsoft. Thank you for your time.

Sincerely,

Jean Macdonald

00014756-0002

MTC-00014757

From: Jim Robichaud

To: Microsoft ATR

Date: 1/22/02 7:27pm

Subject: microsoft settlement

I am often embarrassed admitting I'm a resident of "The Peoples Republic of Massachussets" Tom Reilly and other AG's extortion of Microsoft is just another reason to be embarrassed. Microsoft is not an angelic company, but there are valid reason why they achieved thier dominant position. Microsoft provides an excellent product and offers standardization. I remember the days of not being able to transfer data from one application to the other. If microsoft wasn't allowed to expand the utility of thier operating systems as judge Jackson and others have advocated we might still have to be installing print drivers for every application we install instead of letting the OS handle it. What people in the Real

World—people that have to be productive—want is what Microsoft has generally offered.

Everyone speaking the same "language" has greater benefits than multiple languages that have only minor improvements over one another. The software and OS industry has a built in propensity to standardization and that standardization benefits most users. When a significant advancement comes along people will slowly evolve to that advancement. Technology is always ahead of the masses.

I'm in the HVAC industry and as an example digital thermostats are in every way superior to bi-metal "round one" thermostats. Digital and programmable t-stats have been around for thirty plus years, but they are only now becoming common place. Part of the reason for the slow transition is that everyone instinctively knows how to operate a "round one" thermostat and because of this Honeywell dominated the market. (Maybe they should have been sued). Ease of use and standardization was more important to people than accuracy, comfort and features. In reality digital thermostats are very easy to use. The problem lies in the lack of standardization. Just because you know how to use your digital thermostat at home doesn't mean you'll have an easy time with the one at work or your neighbors house. Why so many—because each variation has some minor improvement, feature or function that the other doesn't. I'm NOT saying that the Government should get involved to promote standardization here. That's my whole point. In the software industry the people have directed the market toward standardization and someday maybe because of accuracy, comfort and features Microsoft's "Windows" may become just like Honeywell's "round one". James Robichaud, West Barnstable, MA

MTC-00014759

From: CHAVES,AMY (HP-PaloAlto,ex1)

To: "microsoft.atr(a)usdoj.gov"

Date: 1/22/02 7:42pm

Subject: Microsoft Settlement

Honorable Judge, I am a concerned employee in the high tech industry. Every court has found that Microsoft has used its operating system monopoly to dominate other software markets as well, thus violating anti-trust laws. The many billions of dollars Microsoft earned illegally from its anti-trust violations are being given to the company without penalty. The proposed final judgment also does nothing to prevent Microsoft from continuing in this behavior and would amount to a government mandate of the monopoly. With such serious flaws in the proposed U.S. vs. Microsoft settlement, I urge you to reject it.

Respectfully,

Amy Chaves

170 Tillman Ave.

San Jose, CA 95126

(408) 920-0365

MTC-00014760

From: Feiyun Zhang

To: Microsoft ATR

Date: 1/22/02 7:44pm

Subject: Microsoft Settlement

I heard that a Proposed Final Judgment (PFJ) in the U.S. vs. Microsoft case is being

considered currently. As a software developer and a concerned citizen, I have serious concerns about the proposed settlement. Microsoft has been egregiously abusing its monopoly power to crush competition and stymie innovation. Last year Microsoft decided not to distribute Java technologies with Windows XP. This is yet another example that Microsoft is using its illegally obtained monopoly power to kill innovation and competition. Because its monopoly position, consumers are forced to use Microsoft technology and software developers are forced to build on Microsoft technology. Other innovative technologies like Java are being forced out of the picture, not because of lacking of technical merits but because of being a competitive technology to Microsoft. This is a very serious issue. However the issue is not addressed at all in the proposed settlement. In fact the settlement does not address the three key elements that my co-workers and I are considered mandatory:

1. Terminate Microsoft's illegal monopoly,
2. Deny to Microsoft the fruits of its past violations, and
3. Prevent any future anticompetitive activity.

I strongly urge you to reconsider the settlement with Microsoft and address the above three elements.

Regards
Feiyun Zhang
600 Oracle PKWY
m/s 60p6
Redwood Shores
CA 94065
Tel 650-5-6-3349

MTC-00014762

From: Ronald Kumon
To: Microsoft ATR
Date: 1/22/02 7:47pm
Subject: Microsoft Settlement
January 20, 2002
Renata Hesse, Trial Attorney
Suite 1200
Antitrust Division
Department of Justice
601 D Street NW
Washington, DC 20530

Dear Ms. Hesse, In accordance with the invitation posted in the Federal Register (Vol. 66, No. 229, p. 59452), I wish to have my comments regarding the proposed final judgment in the United States vs. Microsoft Corporation published in the Federal Register. Microsoft has been found guilty of illegally maintaining a monopoly, in violation of Section 2 of the Sherman Act. As such, the proposed settlement is not sufficient because it does little to address the underlying problem, namely that Microsoft continues to illegally maintain and extend its monopoly.

Any final remedy which intends to truly provide a just and lasting settlement must include the following requirements:

1. All current and future Microsoft products must be required to be extra-cost options on new computers, so that consumers have a realistic option to purchase machines without Microsoft software if they so choose.
2. All current and future Microsoft file formats must be opened to the public, so that

consumers and competitors have the ability to use files generated by Microsoft products with other software without the producers of that software being at an immediate disadvantage. For similar reasons, all current and future application program interfaces for Microsoft operating system must also be made public.

3. All current and future networking protocol must be made public and approved by a independent network protocol body.

4. The source code for all Microsoft products must be made public, primarily because there is ultimately no other way for individuals to ensure that their large, complex products are secure. This issue is especially important given their current dominance in both the operating system and application markets.

I believe these kinds of restrictions would let consumers decide on software based the quality, price, timeliness, and support, rather than having to choose based on backward compatibility and unreleased, proprietary information. Microsoft has repeatedly shown resistance to moderate its behavior in the marketplace. Therefore I urge the court to take a firm stand to relieve the current situation and set a precedent so this kind of monopoly does not occur again.

Sincerely yours,
Ronald E. Kumon, Ph. D.

MTC-00014763

From: HERBHOLM@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 7:52pm
Subject: Microsoft Settlement

Innovation comes from a free market place not one that's run by government. If you force crippling sanctions on Microsoft you will go back to the stone age. Ninety percent of the computers use Microsoft product for a reason. They are affordable on any persons budget consumer friendly, great flexibility. It allows even a seventy year old blue collar worker like myself without great effort to operate it. This settlement on the table is a plus for the consumer. Don't let the states or rivals greed for money stop this.

Herbert L Holm
2821 Fairfield Street
Eureka, California 95501 3524

MTC-00014764

From: Free, Richard
To: "microsoft.atr(a)usdoj.gov"
Date: 1/22/02 7:55pm
Subject: Microsoft Settlement

Good Day, I must express my concern regarding the current PFJ in the case against Microsoft. I have been in the computer industry for close to a decade and in numerous cases have had occasion to detest some of the practices that I see Microsoft engage in. Many of those practices have had direct detrimental impact upon my trying to establish my own business. They have in the past, on more than one occasion, either been convicted of, or settled out of court for, practices that are anti-competitive. This most recent ruling is only one example of many. In each case the remedies sought have only been effective at curtailing practices based on old technology that no longer has any bearing. The current case is no different. The

court MUST find a way to stop their illegal practices in the future. The portions of the current PFJ that I am familiar do not do that. One portion I find particularly distasteful and downright shameful is the requirement that they should donate a certain number of PC's running Windows software to schools that don't have them. That is not unlike requiring the drug pusher to supply drugs and paraphernalia to people that are not users. It gives opportunity to have many more people locked into a platform that has already been determined to be anti-competitive.

A far better solution would be to increase the number of computers being donated by at least a 100 fold with the caveat that those PC's may not be allowed to run any software written, developed or sold by Microsoft. Those computers should run some version of Linux and they should be supported entirely by monies supplied by Microsoft for the entire time that each of the computers are in service. In other words as long as any computer donated as part of a settlement action is still being used in any capacity, Microsoft should pay whatever funds are necessary to support those computers. This should include paying for upgrades to memory and hard drives and replacement of ANY failed components during the entire time the computers are in service.

Microsoft has used illegal practice to beat competitors into the dust. They have been convicted of being a monopolist. Whatever settlement there is should be punitive in nature and should have the effect of stimulating their competition, weak as it may be, and not their user base in any way shape or form. The other effect it should have is to discourage such practices by other companies.

Another suggestion I would make is that they be broken up into several different companies. A personal operating systems company, an applications company, a server company and a services company. These companies should be absolutely separate in all aspects. They should publish those parts of their API's that are required to interoperate with their software royalty free. In this way others will be able to compete on a level playing field that does not currently exist. One last point I should make. One of the definitions (definition U. to be specific) in the PFJ states in part:

... The software code that comprises a Windows Operating System Product shall be determined by Microsoft in its sole discretion. Microsoft should not be allowed to determine in its sole discretion anything of the sort. This is tantamount to a crook being allowed to define what theft is and would be a huge hole that Microsoft would then use to redefine what an operating system is. This would in effect sabotage yet another Federal judgment against them as they have done in the past. Instead, outside agencies and experts intimately familiar with software development should be the ones determining that. An excellent example can be found at: <http://www.kegel.com/remedy/remedy2.html#fix.defs> In the past Microsoft has been convicted of similar practices and the judgments have done nothing to cause them to change their behavior. In fact they

are more arrogant and brazen now than they were in the past. I cannot help but believe that is due in part to past failed and insufficient judgments being crafted. I adjure you to craft a settlement that will actually have teeth to it. Both punitive and preventative in nature. I appreciate the time taken in reviewing this. While I am sure it is not as learned as many other objections are, it is none-the-less submitted with great concern.

Thank you.
Richard Free
IT Manager
Peak Industries

MTC-00014765

From: Steven Miller
To: Microsoft ATR
Date: 1/22/02 7:57pm
Subject: End it!

Dear Ms. Hesse:

I urge acceptance of the proposed Final Judgment offered by the U.S. Department of Justice and endorsed by nine state attorneys general to resolve the antitrust case against Microsoft Corporation. I do this solely because it is long past time that this travesty end. Antitrust law has become a complete farce, a sacrificial pyramid built to the gods of envy and political extortion. It is time to end this rank-smelling mess.

Steven B. Miller
Editorial Director
Nevada Policy Research Institute
Las Vegas, NV (702) 222-0642

MTC-00014766

From: aurelio nunez
To: Microsoft ATR
Date: 1/22/02 7:59pm
Subject: microsoft settlement

LEAVE MICROSOFT ALONE. YOU WON'T GAIN ANYMORE THAN WE TAXPAYERS HAVE PAID OUT. JUST LEAVE THEM ALONE. murio@southwind.net

MTC-00014767

From: Ann Frost
To: Microsoft ATR
Date: 1/22/02 8:05pm
Subject: Microsoft Settlement
To Whom It May Concern:

I wish to express my displeasure with the current Microsoft Settlement. It is much too favorable to this company. I recently purchased a new computer. To get a computer from my manufacturer of choice I had to surrender any choice in the area of operating system. The new XP software is a nightmare of complexity. Surely there are better minds and better systems that exist but are not given equal footing in the consumer market. I wonder if there are fewer problems with XP if you also use the Microsoft Browser. As long as I still have some choice in that area I will refuse to go that route.

I would urge you to return to the original decision in this case and open the market place to all. We need only look at the great advances made in automobiles and telephone service to see how greatly the consumer benefits when competition exists.

Ann P. Frost

MTC-00014768

From: Bob Nystrom
To: Microsoft ATR
Date: 1/22/02 8:05pm
Subject: Microsoft Settlement

I wrote the stuff below the line yesterday. Today I am fit to be tied. The Post Office (Houston, Tx) is distributing Windows XP disks. First off, I can't believe that it is legal to distribute and promote a private "for profit" product in the US Post Office (on my nickel, no less). And one from a company that has been declared a monopoly, and is the subject of ongoing anti-trust actions!! Is there anything in the Bush administration that is not for sale? How blatant can you get!

You guys and this lame "settlement" should be run out of town.

I am 50 and have been in the electronics business since I was 15. I grew up with computers and have watched the rise of Bill Gates & Co. I have several conclusions on the anti-trust case:

1. There is no one- repeat no one- in this business who doubts for one minute that Microsoft is a monopoly. Everyone is looking over their shoulder to see if they will be the next casualty. Microsoft is not where they are because of good products. The products have been forced upon the consumer by leverage of their operating system monopoly. This monopoly- through licensing and other means- has NOT allowed the consumer to evaluate alternative products. I could not buy a PC without Windows. Dell and the others COULD NOT sell me one. In my informal polls, the average consumer does not understand that Windows 95, 98, 2000, XP, etc even come from the same company. They do not realize that a PC box from Dell, Gateway, IBM, etc are all the same. They think of it as Ford, GM, or Honda- which, of course, it isn't. There is no choice.

2. I would venture that you- the judges, clerks, etc are close to my generation. No where is the computer gap more evident. I can't believe you have even a clue as to the extent of Gates's reach and the significance of complete control of the operating system. This monopoly goes way, way beyond steel or the Bells.

3. The proposed settlement is a joke. It is known in the art that Microsoft is a monopoly. They have been legally declared a monopoly. And what do you do? This is not even a slap on the wrist. And as with every other involvement with Gates, he is telling YOU what YOU are going to do. The three person oversight is completely ludicrous and unworkable.

4. In the trenches, the conclusion is that this is a buyoff with Bush. This is so blatant there can be no other explanation. As sad as Sept 11 was, it provided an excuse for the administration to back off of Microsoft. Software types that I run into just write this off as a complete sell out by the Justice Department. Your department really is the laughing stock of the software community. You can't be this clueless, can you? How does this settlement help me, the consumer? How does it help the innovative companies that have been steamrolled by Microsoft? How? How?

5. I am sure the boogeyman here is we don't want to hurt the economy by upsetting

Microsoft. I would posit that 39 billionaires, 900 multi-millionaires, and 100 just plain millionaires would stimulate the economy far more than one "forty billionaire" who will stop at nothing to own it all. Microsoft does not partner- Period.

6. As XP becomes entrenched, there will be control of so many systems and points of distribution that it will make past actions look like child's play. It is a Trojan horse. Microsoft is pulling out all stops on this one. They are taking no prisoners. You are way too little and way too late.

7. This is the last chance to stop Microsoft. This settlement is a disgrace to your office and to this country.

Sincerely,
Robert Nystrom
16 Rhonda Rheault Dr
Oxford, MA 01540

MTC-00014769

From: Jay Lieske
To: Microsoft Settlement
Date: 1/22/02 8:08pm
Subject: Microsoft Settlement
To Whom It May Concern—

The following is my Tunney Act comments to the Microsoft antitrust settlement.

I do not think that the proposed antitrust settlements with Microsoft— neither the Dept. of Justice's nor the States' proposals— goes far enough to remedy Microsoft's monopolistic behavior. There are far too many legal loopholes in the document, so that Microsoft will not have to modify its behavior.

Instead, I believe the best remedy is to force total disclosure of all programming interfaces (APIs), file formats, and network protocols, used in the major, market-leading Microsoft products (including Microsoft Windows, Microsoft Office, Microsoft Internet Explorer, and Microsoft Media Player), so that a third party can create a fully-compatible version of one or more of these products by following the same interfaces, formats, and protocols. There must be no omission from the disclosures, as would be allowed under the proposed settlement. The key to Microsoft's monopoly is that old customers have become locked-in to the Microsoft products. For example, producers of third-party desktop operating systems cannot compete with Microsoft, because the 3rd party OSs would be incompatible with the software written for Microsoft Windows. But if Microsoft were forced to open up the interfaces, formats, and protocols of Windows, the market would become open, and other competitors could come out with new OSs: perhaps one company could come out with a more secure OS, and another company could sell a more user-friendly OS. Then the companies, Microsoft included, would all be competing in an open market, with customers able to choose the best product based on features and services. Additionally, it is important to remove any language in the settlement that only regards commercial competitors or customers of Microsoft. Many of the products that compete with Microsoft come from the non-commercial world, often created through volunteer labor. Microsoft must also be forced to compete with such products in the

same open market as with commercial products.

Thank you for listening,
Jay Lieske
2625 Adelbert Ave.
Los Angeles, CA 90039

MTC-00014770

From: Doug Sauder
To: "microsoft.ctr(a)usdoj.gov"
Date: 1/22/02 8:06pm
Subject: Microsoft Settlement

Judge Kollar-Kotelly,
As a concerned citizen, I urge you to reject the proposed settlement in the Microsoft suit before you. Microsoft's power will not be limited one bit by this proposed final judgment, and the company will be allowed to retain virtually all the profits it made through its anti-trust violations. This solution does nothing to stop Microsoft from continuing in its strong-arm tactics, and I ask you to vote against it.

Sincerely,
Doug Sauder
2398 Bettona St.
Livermore, CA 94550
925-292-6292

MTC-00014771

From: JO ANN HARRIS
To: Microsoft ATR
Date: 1/22/02 8:10pm
Subject: Microsoft Settlement

Let's get on with the settlement. Microsoft has bent over backwards to settle and yet only the lawyers are getting rich. I have been a user of Microsoft and believe will keep serving the best interests of the consumer as they have for years. So the competition can't keep up. . . so what!!!!!! Microsoft has long since complied with the long list of government regulations. If the government ran its business as well as Microsoft we would have a fraction of the taxes, graft, laws, etc

Adam & Jo Ann Schaubert
1727 Fountain View Cr
Venice, FL 34292

MTC-00014772

From: Csambenson@cs.com@inetgw
To: Microsoft ATR,fin@
mobilizationoffice.com@inetgw
Date: 1/22/02 8:12pm
Subject: Microsoft Settlement
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft: This letter is so that I may go on record as being a supporter of the proposed settlement that was reached between Microsoft and the Department of Justice. Although I was not supportive of the lawsuit against Microsoft in the first place, I will stand behind any reasonable agreement that brings an end to the senseless litigation that has been plaguing Microsoft.

There was a time not too long ago, for example, when it took the better part of several long hours to produce a reasonably efficient database application. With the advent of Microsoft's Windows operating system, along with their integrated software suites, this task now takes mere minutes.

Microsoft has been extremely beneficial to the economy in the past, and will continue to do so after this settlement. They have agreed not to retaliate against competitors who are making and ship software that competes with Microsoft's software. This will open-up the market, and encourage their competitors to be more innovative.

Why those in our government think that this sort of innovation deserves wrath, rather than praise lies completely beyond my scope of understanding. In any event, there is now a settlement on the table. This settlement is more than fair, given the dubious intentions of the lawsuit to begin with. It is my hope that this settlement will prevail and that those in government can get on with far more important issues.

In addition, Microsoft stock was and is a significant of my retirement portfolio and I am not at all please with what this litigation has done to the value of my Microsoft Investments. Sincerely,

C. Sam Benson
Coach C. Sam Benson
Success Coach
Personal & Business
Human Dynamics Resources
11812 CR 76
Findlay, OH 45840
419-424-0248

MTC-00014773

From: DJ EAsterbrook
To: Microsoft ATR
Date: 1/22/02 8:19pm
Subject: Microsoft Settlement
508 Ridgeway Drive
Bellingham, WA 98225
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft: I'm writing to urge you to accept the terms of the settlement recently reached between Microsoft and the United States Justice Department. The settlement will result in a much more competitive environment beneficial for all parties involved.

Microsoft has, for example, agreed to grant broad new rights to computer manufacturers and software developers to configure Windows to promote non-Microsoft software programs that compete with Microsoft programs included within Windows. This means computer manufacturers can replace Internet Explorer with Netscape Navigator; Microsoft Media Player with RealPlayer; and Windows Messenger with AOL Instant Messenger. Microsoft has further agreed to not retaliate against computer makers and software developers who choose to take this route, nor will Microsoft retaliate against computer makers who ship competing operating systems. Overseeing the terms of the settlement will be a Technical Committee comprised of three persons who are software engineering experts. This Technical Committee will assist in any dispute resolution, should a complaint be filed.

Based on these facts, I respectfully request you to accept the terms of the settlement.

Sincerely,
Don Easterbrook

MTC-00014775

FROM: Jack Noel
TO: MS ATR
DATE: 1/22/02 8:24pm
SUBJECT: Microsoft Settlement

As a user of a competitor's platform, operating system and Netscape browsers, I'd like to thank the Court for the work that has been done to arrive at a Final Judgment in the Microsoft case. I endorse and applaud the settlement. But, as a citizen of Michigan, (one of the plaintiff states), I am concerned that remedies do not go far enough. Michigan has launched an initiative to promote computer-based education and my investigation shows that past invasive practices of Microsoft has subverted this. Also, as a low-income user of a non-Microsoft platform/OS, I find that I'm significantly impaired and partially barred from enrolling and participating in Michigan's online education program (Michigan Virtual University). I can enroll, I can do course work, but the instructors have no way of monitoring portions of my course work.

So it appears to me that prior monopolistic practices of Microsoft have unduly influenced those who planned and created "MVU." The software developed for this education "institution" is designed with the assumption that all students and teachers will be using a PC with Windows OS installed. This has damaged me, in the sense that I'm hampered in taking online courses here, should I want to do so. When I inquired about this with MVU, I was told that Apple Computer had been unable to come up with software that would make their computers and OS fully inter operable with MVU's system. While this situation may indeed be resolved by Apple Engineering, it will take time and no one can say how long it will take. Still unanswered is the question of why those responsible acted on the assumption that we are in an "all Microsoft / PC World."

I can only add that Microsoft's recent self-serving effort to "make good" with state education systems by providing another flood of inferior software / hardware was another concern. But I see the states, in their wisdom, rejected this offer. So, my opinion is in favor of imposing the Final Judgment as described in documents posed on the Justice Dept. website.

Thank you,
Jack R. Noel
Ann Arbor, Michigan

MTC-00014776

From: Andrew
To: Microsoft ATR
Date: 1/22/02 8:26pm
Subject: Microsoft Settlement <—Please read all the way through before passing judgement

To Whom It May Concern:

I just wanted to make a comment on the whole concept of placing a lawsuit against Microsoft. It occurs to me that Microsoft simply wrote a program that runs on a computer. Plain and simple; a basic fact. This program can, however, have other programs run from within it that were not written by Microsoft. People sell these programs. This ability is a bonus to those people that write this additional software. Microsoft does not

have to make it easy for other people, besides Microsoft employee's to write software for the main body of the program.

The mere fact that they, (Microsoft), write tools and document how-to's, are a definite sign that Microsoft supports the users that want to take advantage of the OS/Program to its fullest. Suppose for instance that the DOJ wrote a program that ran directly on hardware, written in assembly for the sake of argument, and it took years of development and many revisions. Now, someone found that you made an interface that was easily accessible, and programs could be written to run off of it, making the original software better? They sold this addition and made money based on the current function of the DOJ OS/Software?

Now imagine that you, the writer of the original software wanted to make a change(s), that would enhance the overall operation of the software, helping all those that use the program at the DOJ out, making their lives easier? Now imagine that that programmer that wrote the parasite program sued you because the enhancement you made created a conflict within his software that made it impossible to run? Do you think that this lawsuit is just? What if you, wrote tools to help that programmer make changes to his original software to help him out, make it easier to make a revision? Do you think he should be grateful? Think about it. The suit against Microsoft is ?injustice? by definition.

A programmer,
Andrew S Chadick
Paulson Computer Systems, Inc.
253-581-3150
7501 Bridgeport Way W
Lakewood, WA 98499

By the way, ? the changes that Microsoft is currently making? ie, the ones that are phasing out MS-DOS, are stopping our software from being able to run? Are we complaining? NO. We are thankful that we had a good run using the OS's that Microsoft made, i.e. Dos 5.0 ? Win2k. . . We have made hundreds of revisions over the years.

And, WE will adapt; write the software again new; and make use of the new languages and tools now available by Microsoft.

MTC-00014777

From: Stephen Lucas
To: Microsoft ATR
Date: 1/22/02 8:28pm
Subject: My Comments

This is Stephen Lucas, just a simple computer user, a real estate broker, without ties to the companies involved, and I am voicing my complaint about one issue in the Microsoft lawsuit pertaining to alleged damages to Netscape. I remember when Netscape went public with it's IPO, and that was the first time I learned what this internet thing was about and how to access it. The problem was that Netscape was charging the public for software to access the internet, up to \$40. Later, Microsoft came out with a free browser, Internet Explorer, which was distributed with my new computer and was available free through a MSN CD-rom received in the mail. As a consumer, Microsoft did me and millions of other consumers a lot of justice, of distributing this

free browser. This is not a crime. Netscape deserved to lose business for gouging the public with their monopoly browser at the time. Leave free market capitalism alone, and dismiss this frivolous law suit. The cost of this lawsuit will only be passed on to us consumers.

MTC-00014778

From: Cheryl Williams
To: Microsoft ATR
Date: 1/22/02 8:33pm
Subject: Public Comment

Dear Sirs:

I believe that Microsoft has been put through enough. As a daily computer user, I feel it is in this nation's best interest. . . and the best interest of the consumer. . . for Microsoft to receive this settlement and to finally end this travesty on our economy. It's time to get on with re-building our economy, especially through the technology and creativity that Microsoft has developed (and will, hopefully continue to develop). Let's end the injustice of persecuting Microsoft. Let's begin the next generation of computer improvements.

Cheryl Williams
1300 Lapwing
Edmond, OK 73003

MTC-00014779

From: Tracy LaGrone
To: Microsoft ATR
Date: 1/22/02 8:35pm
Subject: Microsoft Settlement
January 20, 2002
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001
Re: Proposed Microsoft Settlement

I am a CPA employed by a large computer software company, and I would like to add my two cents to the proposed settlement between the DOJ and Microsoft. First of all, I agree with most of the third party analyses, which came out when the proposed settlement was announced. Most analysts thought that the settlement was highly favorable to Microsoft. I agree with their assessment, and share their puzzlement about why Microsoft deserved a favorable settlement. I could understand giving a favorable settlement to a company that admitted guilt, was a first time offender, and had agreed to change it's ways, but none of those descriptions apply to Microsoft. This is their second time in front of the courts on this issue, having apparently learned nothing from their first brush with the law in 1995. The weak settlement from the first case was directly responsible for the second court case. I am afraid that if the settlement goes through as proposed, there will inevitably follow (if the DOJ doesn't completely play dead) a third case. History and this court case have shown that when it comes to competing in the marketplace, Microsoft is not a company that is greatly troubled about ethics and morals. For example, this fall while their case was on appeal, Microsoft blocked users of a competing Internet browser from accessing the MSN community of websites.

Microsoft claimed that the competing browser did not correctly implement some of the Internet standards. Only when it was demonstrated that Microsoft's browser also did not correctly implement the same standards, and that the browser from Opera was more compatible with the standards than Microsoft's did they relent and allow the competing browser to be used. The transparency of some of Microsoft's explanations can leave even the most ardent of Microsoft supporters speechless with embarrassment. Microsoft continues to insist that they are innocent even after losing 8-0 at the Appeals court. Innovation is a word that Microsoft has been hiding behind for quite some time. Microsoft persists in believing that it can take any anticompetitive action it wants as long as they call it "innovation". Is an unrepentant, two time offender the kind of company that should get a favorable settlement? The history of this case, and common sense argue quite forcefully that the answer is no.

The DOJ has not provided a convincing "in the public interest argument" for their weak settlement. In order to learn to be a good corporate citizen, Microsoft needs a punishment that it cannot rationalize away. Unrepentant companies like Microsoft need a strong punishment that will convince them of their guilt, and that will deter future illegal acts.

Punishment That leads to one of the biggest arguments against the proposed settlement. There is absolutely not punishment in it. Basically, under the terms of the proposed settlement, all Microsoft has to do is to behave legally and ethically, like they should have been doing from the very beginning, for a period of several years and all will be forgiven and forgotten. There is no punishment, not even a small fine for a company that is sitting on 30 billion in cash and cash equivalents. This also means that Microsoft gets to keep the market position it gained from its illegal behavior. Who would propose a policy that let robbers keep the goods they stole as long as they behaved in the future? Yet, that is exactly what this settlement proposes to do. APIs and Interfaces One very specific part of the settlement of the settlement that needs to change are the provisions that call for Microsoft to publish their interfaces and to cooperate with all companies who want their software to run on or in cooperation with their software. Specifically, the settlement says that Microsoft and Microsoft alone get to determine what is, or is not a business. But Microsoft's greatest single threat on the operating system front comes from Linux—a non-commercial product—and it faces a growing threat on the applications front from Open Source and freeware applications.

Section III(J)(2) contains some very strong language against not-for-profits. Specifically, the language says that it need not describe nor license API, Documentation, or Communications Protocols affecting authentication and authorization to companies that don't meet Microsoft's criteria as a business: ". . . (c) meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business". Not only does

Microsoft get to specifically exclude its biggest competition, it is the judge and jury in deciding what constitutes a business.

This part of the agreement needs to be rewritten so that all APIs and interfaces that are necessary to interoperate with Microsoft software are open to everyone, regardless of their status. Java The states opposing the settlement have a very good idea when they want Microsoft to include the Java computer language as a standard part of its operating system. Java is a powerful force for competition in the computing world because it is platform neutral. That means that a program written in Java can run on any operating system. By forcing Microsoft to include Java, that will encourage programmers to write Java programs which means they will automatically be writing programs for competing operating systems at the same time. Having more programs available for competing operating systems, makes the competing operating system attractive to end users. Microsoft knows that Java has the affect of making the specific operating system less important.

That is why they dropped it from their latest version of Windows even though it costs Microsoft nothing and would make the computing experience for their customers better. To foster competition, the final settlement should force Microsoft to include Java with their operating system for a reasonable period of time. The settlement as it is proposed does not protect the public interest. The court should not rubber stamp a weak settlement for the sake of disposing of the case. The software development portion of the U.S. economy is too important to let wrongs go uncorrected. The American consumers deserve an active and competitive computer software marketplace, and the Microsoft competitors who have played by the rules and been damaged by Microsoft's actions deserve relief and justice.

Regards,
Tracy W. LaGrone
3453 Greystone Dr.
Austin, TX 78731

MTC-00014780

From: Brett James
To: Microsoft ATR
Date: 1/22/02 8:37pm
Subject: Microsoft Settlement

I am opposed to the current line of thinking with the settlement. While I agree it is time consuming and expensive process to bring things to a conclusion, I think that with the high-level of involvement computers have in every business in the country, we are running a serious risk of falling even further behind other countries who are finding themselves more free to use other, more appropriate platforms and applications. Many U.S. businesses are being cornered into a set of products that is often inferior—especially in terms of security—to those used by our european and asian counterparts. In the long run, we will lose the one thing that has kept our trade in check with countries that have less expensive labor: our superior management skills.

Brett James

MTC-00014781

From: Charles Bateman

To: Microsoft ATR
Date: 1/22/02 8:49pm
Subject: Microsoft Settlement

I am a Technology Coordinator at a Knox County Middle School. I spend 3–4 hours every day keeping the computers our teachers and students use up and running. These are relatively new, already upgraded, and are used by a staff that has undergone extensive training. Microsoft's proposal to settle their lawsuit by giving older computers to poor schools is total lunacy. Schools are drowning under the strain of keeping their computers running now. We are the third largest system in the state and we have five technicians to repair all of our computers, TVs, overhead projectors, et al. If Microsoft wants to do something for the schools, let them pay for a technician in each school in the US. Or even better, let them donate Apple products to the schools, they require less experience, less maintenance, and last longer.

Thank you,
Charles M. Bateman

MTC-00014782

From: MIMIPIERCE@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:00pm
Subject: Microsoft Settlement

The settlement with Microsoft, as now framed, is clearly in the best interests of the public—particularly in the light of our sluggish economy. Whatever its sins have been, it has certainly been whipped enough by now—and no-one can deny the contributions Microsoft's inventiveness and innovations have made to our growth and prosperity over the past decade. It's time to free that energy from the constraints of needless ongoing litigation which may serve the egos and ambitions of a few at the cost of the rest of us who are content with the reparations already made and offered.

The prosecutorial energy that seems to abound in the breasts of those who seek to persist in flogging this company would be better directed against the likes of ENRON which has caused real damage to so many, as well as against those whose collaboration or inattentiveness have permitted that company's abuses to go unchecked for so long.

Why has there not been similar scrutiny and attack upon the practices of those major oil interests which have been permitted to join forces and either support or turn a blind eye to the intentional price gouging which is causing major damage to our economy? Or the ongoing elimination of competition by the unassailed merger of major banking interests?

MTC-00014783

From: Alison Appel
To: Microsoft ATR
Date: 1/22/02 9:01pm
Subject: Microsoft Settlement

Dear Judge Kollar-Kotally, After a lengthy process, our court system found Microsoft Corporation guilty of violating anti-trust laws in this country. The suggested settlement is nothing more than a slap on the wrist and does not address the future or provide retributions to those harmed. This proposed

settlement does not terminate Microsoft's illegal monopoly nor does it force them to change their future business practices to prevent more anticompetitive actions. It is laden with loopholes that Microsoft will use to continue business as usual. It also does not calculate revenues gained by these practices and provide retribution to those businesses which were affected.

Don't be swayed by the stock market or other pressures. Remember that other people lost their jobs or money by Microsoft's actions and will continue to if you allow the proposed settlement to go through. There is room for competition in the software industry. It is your job now to ensure it and to make a bottom line settlement where Microsoft will remember it's past and not repeat it!

Sincerely,
Alison S. Appel —
437 Hoffman Avenue
San Francisco, CA 94114
415.642.3522

MTC-00014784

From: RobAnn Mateja
To: Microsoft ATR
Date: 1/22/02 9:07pm
Subject: Microsoft Settlement

I'd like to express my opinion regarding the proposed Microsoft settlement. In short, I'd like to see the matter settled, as proposed, so we can all move on. This suit was never about consumers; it was always about Microsoft's competitors. Besides, with Linux and Apple gaining strength, I am not even convinced it is a monopoly, as the courts contend. Please quit wasting the taxpayers' money and trying to destroy a great American company in the process. Thanks.

MTC-00014785

From: no
To: Microsoft ATR
Date: 1/22/02 9:08pm
Subject: Microsoft Settlement

I dont think the settlement is enough, we need to do one thing: disable any attempts to make the os priopetory or use priopetoryness to squash any sort of opensource software. If you dont stop them from doing that, they will just enhance their already-bad trust.

MTC-00014786

From: ErnieWelcker@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 9:08pm
Subject: MICROSOFT SETTLEMENT
January 22, 2002
From: Ernie Welcker
California U.S.A.
To: Renata B. Hesse
U.S. Department of Justice
Antitrust Division

As I type and e-mail this correspondence, a great deal of gratitude must be extended to Microsoft in providing the means to do so. Continued efforts by Microsoft makes it possible for me to remain on-line with the latest advancements in software technology at no further cost to me. Heck, I don't even have to stand in line for the ongoing, varied practical gratuities that are always offered at great convenience: and that's my contention in morally supporting Microsoft against any anti-trust action.

The point is, nobody at Microsoft put a gun at my head while purchasing their initial required hardware and software. What really irks me is that enviable competitors have decided to grovel at the feet of powerful brokers to—in effect—put a gun at Microsoft's head to cease and desist in their overwhelming superior productivity. I should add that not all my computer and related wireless products are made by Microsoft. A real monopoly, in other words, cannot exist in the business world; only among government entities (and that is precisely where no competition is allowed for fear of going to jail or worse).

America must remain a land of opportunity, even for those individuals who may eventually trump Microsoft at their own game. . . . Meanwhile, private property rights must exist for any ambitious enterprise to succeed—minus any vicious acts of force or fraud.

Hence, I hereby advocate the repeal of all anti-trust laws. Favoring one business over another is not a legitimate function of government in a free world. Don't get me wrong, I have a great deal of respect for the legal profession. A solemn court house is surely preferable over a bloody battlefield to settle any differences objectively.

THANK YOU FOR YOUR TIME

CC:activism@moraldefense.com@inetgw

MTC-00014787

From: Tom B Ballard
To: Microsoft ATR
Date: 1/22/02 9:13pm
Subject: Microsoft Anti Trust Case
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft,

Thankfully a settlement has been reached in this costly Microsoft Anti Trust case. It seems to me that it is fair for all parties and certainly good for the American consumer. Now is the time for the parties to act on the settlement requirements, shake hands and get on with the important business of working on computer security systems that would stop hackers in their tracks. Now that would be in the public interest!!!

Lets not forget that Microsoft played a key role in giving the American people young and old the tools to waltz right into the computer age. We must be thankful for that just as we are thankful for the Wright Brothers.

Wishing you a pleasant day and thank you for your service to our country.

Cordially,

Wilma Ballard

2600 Briggs Chaney Rd.
Silver Spring, MD 20905

CC:fin@mobilizationoffice.com@inetgw

MTC-00014788

From: John (038) Anna Baker
To: Microsoft ATR
Date: 1/22/02 9:37pm
Subject: Microsoft Settlement

Its about time to close out this litigation. Why are we wasting more taxpayer's money to put down US business. Do we want to make India or some other foreign county the leader in software?

Sun Microsystems should compete in the open market and not use the courts to try to make them competitive.

John C. Baker
4014 Font Hill Drive
Ellicott City, MD 21042-5616
410 465 8558

MTC-00014789

From: Kirk Davis
To: Microsoft ATR
Date: 1/22/02 9:40pm
Subject: Microsoft Settlement
I hate Microsoft!!

MTC-00014790

From: Steve Wright
To: Microsoft ATR
Date: 1/22/02 9:44pm
Subject: Re: U.S. v. Microsoft: Settlement Information

I support severe punishment for microsoft actions, in the amount equal to the size that the company has become. It seems likely that most if this companies gains were made illegally and should be taken away. The damage caused is unlikely to be restored because of its ruthless destruction of smaller members of the computer industry. Untold billions are lost because this monopoly has not needed to produce quality secure programs. Choice is not readily available and competition is stifled. The paid journalists writing in false praise, and lobbyists bribing our government are a corruption of society and a mockery of justice. Our interests are best served by an example being made of them in this case.

Respectively,
Citizen
USA

MTC-00014791

FROM: Home
TO: MS ATR
DATE: 1/22/02 10:00pm
SUBJECT: Microsoft Settlement
1583 Laclede Road
South Eulid, OH 44121-3011
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

It recently has come to my attention that the federal government is considering public comments on the Microsoft antitrust case to determine if the settlement actually serves the public interest. I would like to take this opportunity to express my opinion that the settlement does in fact meet the needs of the public interest.

I have followed this case for years, and I believe it is high time that both the government and Microsoft return to work. Microsoft will return to work with improved business practices that will ensure equity in the computer industry and choice for consumers. The corporation will comply with an impartial technical committee that will monitor its actions and assist in dispute resolution.

The government can return to work with the countless other pressing issues that face us at this time. I would like to see this matter resolved, and I am confident that the current

settlement agreement is satisfactory to all involved parties. As a computer user, I support Microsoft and its quality products, and as an American I support the hard work of our public servants such as you.

thank you for your valuable time.

Sincerely,
James Day

MTC-00014792

From: rcmoore-1
To: Microsoft ATR
Date: 1/22/02 9:54pm
Subject: Microsoft Settlement
To : The Department of Justice
From: The Public Consumer

Sir:

Please put an end on this case against Microsoft, give Microsoft freedom to serve the consumers. For my point of view, Microsoft had not done anything wrong except protecting there product, making sure that the consumers will have an easy understanding and access on variety of new technology.

Please be on the side of the consumers and not with the competitors.

Thank you and God Bless you.

Sincerely,
Catalina Moore
Consumer

MTC-00014793

From: Don Small
To: Microsoft ATR
Date: 1/22/02 10:09pm
Subject: Microsoft Settlement

Dear Sirs,

Leadership in technology has made America the world leader in virtually all fields. It is with this in mind that I ask you to implement the Microsoft Settlement. Fairness should be the goal, not punishment.

Technology companies are making the market competitive, despite the power Microsoft has gained.

Thousands, like myself, are turning to Linux and other operating systems, because they are better, not because a government lawsuit will cripple Microsoft. Open fair competition will make the difference.

Sincerely,
Don Small
816 Cumberland
Burlington, KS 66839

MTC-00014794

From: Duncan K. Law
To: Microsoft ATR
Date: 1/22/02 10:09pm
Subject: Microsoft Settlement.
January 22,2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

We have learned that a settlement has been reached in the Justice Department's antitrust suit against the Microsoft Corporation. The both of us support this settlement, and think it is in the best interests of the government to accept it.

By accepting the settlement, Microsoft will not be getting off easy, as its critics would like you to believe. The settlement was reached after extensive negotiations with a

court-appointed mediator. Microsoft has agreed to license its Windows operating system products to the 20 largest computer makers on identical terms and conditions, including price. Also, they have agreed to document and disclose for use by its competitors various interfaces that are internal to Windows" operating system products. Furthermore, Microsoft has agreed to the establishment of a three person technical committee that will monitor Microsoft's compliance with the settlement, and assist with dispute resolution. We ask that the government leave Microsoft alone by not pursuing further legal action against them.

Sincerely,
Flora & Duncan Law
3415 Franklin Avenue
Astoria, OR 97103

MTC-00014795

From: Sallie Rueter, UBC
To: Microsoft ATR
Date: 1/22/02 10:19pm
Subject: Microsoft Settlement
Ron and Sallie Rueter
2113 108th Street S.E.
Everett, WA. 98208
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

The Microsoft Corporation and the Department of Justice have finally agreed to terms on a settlement that will put an end to the antitrust issue which has lasted for over three years. We are writing this letter so that we may go on record as supporting the settlement, and would also like to ask that it be implemented as soon as possible. Enough is enough; this has gone on for too long. The government needs to shift their focus to more relevant and pressing issues such as divesting the Enron executives of the illegal proceeds from their insider stock sales prior to the demise of the company and requiring those funds replace the 401k and retirement fund monies their employees lost when they were barred from selling their stock. I guess it took a huge business failure like Enron and a recession to open-up some eyes in Washington.

We can't understand why Microsoft continues to be under fire, we do not see their competitors being subject to such treatment. Nor do we see their competitors doing much but whining and urging anyone they can get to listen to prolong the issue. Now AOL (was this part of the purchase agreement with Netscape?) has brought suit against Microsoft. That bandwagon is getting mighty crowded.

Where are all of their donations to schools—apparently they spent all their money in Washington DC? Do you really think AOL has any consumers' interests in their plans? In addition we feel AOL, Sun Microsystems and the other competing businesses in all the hold-out states should also have technical oversight committees assigned to test their compliance with good business practices. The settlement is reasonable, even with the oversight

committee, and the government should be satisfied and let Microsoft get back to their business.

The lawsuit is over, but their competitors are still trying to force the issue so Microsoft has to concede even more. It sounds like the agendas of the competitors should be questioned. I would ask that the Enron issues be examined as closely as Microsoft has been, but given Enron's level of political contributions, I'm sure that won't happen. Wouldn't it be nice if the people in Washington DC who could make a difference actually did?

Sincerely,
Ron and Sallie Rueter

MTC-00014796

From: Mr O
To: Microsoft ATR
Date: 1/22/02 10:22pm
Subject: Microsoft's exploits

To the honorable judge Kollar-Kotelly,
I am writing you as many others are in regards to the concern of Microsoft's business practices. Microsoft is a company that hinders the freedom of every computer user out there. As you know they represent a majority of the desktop market in the technology industry. It is only here in the US that the majority of desktop computers actually have a valid license though. Many other countries resort to piracy because of Microsoft's pricing. If you've read technology headlines of any lately you'll notice many countries are making a switch to other operating systems such as Linux.

Linux as you may have heard is generally free. Most major distributors of the linux operating system freely give away their product via download or offer boxed sets with support options. By offering a stable reliable operating system for a cost of next to nothing but time many government agencies around the world including the USA have been embracing this operating system as a means of cutting costs and saving millions upon millions of dollars in licensing costs for years to come. Further evaluation of Microsoft's practices will show they are making every attempt possible to ensure customers are caught in an agreement which guarantees Micro\$oft an income while guaranteeing the consumer nothing at all.

Already in place in Microsoft's latest operating system XP and their OfficeXP product are agreements and practices more of an annoyance than a protection. They are only trying to protect themselves in these manners and are causing more of a headache for the consumer.

This letter is of more importance to show you the exploits of Microsoft and to make you aware there are other operating systems and standards available. Microsoft has done it's best to exploit Sun and the Java standards, Apple and it's entire product line, as well as making every effort to conquer AOL in the ISP front by purchasing/forcing many smaller ISP's out of business and even handling ISP account related to QWest's DSL service. Many customers are given little to no choice when such changes are made.

To end, I even sympathize with the poor soul who distributed the notice I received about the Microsoft gameplay as I noticed it

was a ".doc" type file which is proprietary to Microsoft's Office product. Fortunately I use an Open Source (free) word processing program which allows me to read such a file and even save to such an evil format should I desire.

Thank you for your time and consideration in this matter.

Mike Owen
notanatheist@yahoo.com

P.S. As a final wish. . . The latest settlement requiring Microsoft to pay/donate millions of dollars in equipment to schools should be payed out in ONLY hardware. Surely there are enough companies willing to DONATE an operating system for the hardware. America is freedom is it not? Thank you. God bless.

MTC-00014797

From: DatelineAdrian@aol.com@inetgw
To: Microsoft ATR
Date: 1/22/02 10:27pm
Subject: Please just use your common sense and KNOCK of this stupid witch hunt. . . .

Please use your common sense and knock off this stupid witch hunt. Microsoft has already settle just fine. As a computer user for years I am disgusted at the way Microsoft is being targeted forever. DROP IT. Get over it.

Thank you.
Dr. Adrian Travis
PO Box 7
Jacksonville, FL 32210
(904) 388-0054

MTC-00014800

From: Melissa Parsons
To: Microsoft Settlement
Date: 1/22/02 3:47pm
Subject: Microsoft Settlement
Melissa Parsons
8107 Winsford Avenue
Los Angeles, CA 90045
January 22, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more

entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Melissa Parsons

MTC-00014801

From: Stanley Shimkus
To: Microsoft Settlement
U.S. Department of Justice
Date: 1/22/02 7:36pm
Subject: Microsoft Settlement
Stanley Shimkus
30166 willow springs rd
flat rock, MI 48134
January 22, 2002
Microsoft Settlement
U.S. Department of Justice ,
Dear Microsoft Settlement
U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Stanley J Shimkus

MTC-00014802

From: Gonzalo H. Iglesias
To: Microsoft ATR
Date: 1/22/02 10:43pm
Subject: Microsoft Settlement
Gonzalo H. Iglesias
66 Gables Boulevard
Weston, FL 33326
954 385-7311
gamaweb@msn.com
January 22, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

The Justice Department and Microsoft have been tied up in a court battle for the past three years, and for the past six months, negotiations have taken place under the supervision of a court appointed mediator.

Microsoft has, I think, been dealt with fairly in the settlement, and I do not believe

further litigation is necessary. Unfortunately, nine plaintiff states involved in the case do not agree. They are currently seeking to overturn the settlement and bring further suit against Microsoft. This matter has been pending for far too long, unfortunately to no one's benefit except the highly rewarded lawyers to the detriment of the consumers like myself. Therefore I feel that it is about time for the case to come to a quick conclusion.

I believe Microsoft has the right to remain in control of its own software, but I believe the terms of the agreement are beneficial because they allow more freedom on the part of the user. By comparison, I look at other major Companies Ford, Mercedes Benz, Bacardi, .etc. We could all say that these other companies hold a monopoly as well. Will all these companies be required to comply with policies being asked of Microsoft? Under the terms of the settlement, Microsoft will be required to disclose source code for use by its competitors. Microsoft has also agreed to reformat future versions of Windows so that the operating system will support non-Microsoft software. Now, computer users whose computers run on Windows will have the ability to configure Windows as they see fit. I am pleased that the suit did not result in Microsoft's division into smaller parts, and I believe that this settlement is in the best interest of both computer makers and the consumer.

Mr. Ashcroft, I do not believe further litigation is at all necessary. Such litigation will only increase not only the governments' costs which in the end is the taxpayers, like myself. Pushing the issue any further would be totally counterproductive and would be, I believe, ultimately detrimental to the economy, the technology industry, and the American people. I urge you to support the settlement.

Sincerely,

Signed,

Gonzalo H. Iglesias

CC:fin@mobilizationoffice.com@inetgw

MTC-00014803

From: Eileen (038) Jack G
To: Microsoft ATR
Date: 1/22/02 10:50pm
Subject: Microsoft Settlement
2649 W Ceyanne Circle
Tucson, Arizona 85741
January 19, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Your unyielding support of the settlement that was achieved in the Microsoft antitrust case is needed.

After three years of holding Microsoft in court the settlement represents the best way to set Microsoft free from federal litigation.

Unfortunately there are those who would like to have this settlement discarded and this case brought right back to court. Their priority is too see Microsoft harmed and impeded in the courts, not to see more competition. Thankfully this settlement will bring more competition to the IT industry. The settlement necessitates Microsoft to

share vital code, including internal interfaces, with competitors. With this non-Microsoft companies will be able to create better software and compete better with Microsoft.

It would be a great development if the federal antitrust case could finally terminate. I think that you should promote this settlement and help to end this case so our economy can move forward.

Sincerely,

Jack Glickman & Eileen Glickman

MTC-00014804

From: Lia Olivieri
To: Microsoft ATR
Date: 1/22/02 10:53pm
Subject: Microsoft Settlement

I am the consumer that your "inquisition" should be protecting (to improve competition, lower prices, etc.etc.). I, THE CONSUMER, AM SAYING :STOP ! I like Microsoft, I choose Microsoft, I believe the price is fine, so what now ? My government should better spend my tax money going after Bin Laden that Microsoft !

If I could, I would suggest Microsoft to relocate outside the USA : I will continue to purchase its products and another Country will benefit of its success : We, the American, do NOT deserve it !

Regards,

Lia Olivieri

New York

CC:CMDC/activism@moraldefense.com@

inetgw

MTC-00014805

From: Haradon Zeb
To: Microsoft ATR
Date: 1/22/02 11:00pm
Subject: In regards to Microsoft antitrust case

It is my understanding that the Department of Justice is seeking public comment on the Microsoft settlement. My intention in this letter is to state my opinion on this matter. First, I would like to explain that I believe any producer (an individual or a business), has the right to produce or legally acquire a product or service and offer it for sale under any conditions they deem fair, if such merchandise is represented accurately. As a consumer, I should have the right to accept their offer or refuse it. In the case of Microsoft, this right has not been infringed. Never have I felt compelled to purchase a Microsoft product or service. I am not aware of any action Microsoft has taken to force me to purchase any of their products or services. I have explored other operating systems, such as MacOS, Unix, and Linux, and have remained a user of Microsoft Windows due to its superior stability and usability. I have also exercised the choice not to use Microsoft products in certain cases. For example, I have used MSN Messenger Service, and ultimately uninstalled it from my system because I was unhappy with it's performance. I now use the competitor's products ICQ and Yahoo Messenger. I will reiterate: Microsoft has never interfered with my choice as a consumer to choose which product I want to use. The reason Microsoft has a large market share in certain areas is because they excel in those areas. I do not consider bundling software (such as the Internet Explorer web

browser) with the operating system to be a limiting of my choices.

On the issue of misrepresentation, if it could be shown that Microsoft has intentionally written code into the Windows Operating System which would cause other applications to not work, without warning consumers of this so that they could make an informed decision, then this would be a case where they had limited consumer choice. To the best of my knowledge, Microsoft has not done this.

For these reasons, I recommend the absolute minimum penalty, preferably none at all, as Microsoft's punishment in this trial.

Thank you for your time,

Zeb Haradon

127 W. Inglenook Drive, Apt. 2305

Midvale, UT 84047

MTC-00014806

From: Bruce Gibby

To: Microsoft ATR

Date: 1/22/02 11:04pm

Subject: Microsoft Settlement

In my opinion this entire prosecution has been a sham and instigated by the wealthy, yet inept, second-tier Silicon Valley billionaires (Oracle, Sun, et.al.). As a user of Microsoft products (home and office) and Oracle Financial products (office), I can unequivocally state that Microsoft products tend to work as promised with a fairly high degree of reliability, whereas Oracle Financial products are complex, poorly designed, overpriced, and therefore, a rip-off. I suggest you contact any of the many Oracle CRP users and obtain their frank and honest reactions. The DOJ has been prosecuting the WRONG company.

Not on any software company's pay sheet,
L. Bruce Gibby, Ph.D.

MTC-00014807

From: Barbara Haugen

To: Microsoft ATR

Date: 1/22/02 11:19pm

Subject: Microsoft Settlement

To Whom it May Concern;

As a Microsoft user, I find it ludicrous that as a consumer of their products, even if I WAS being damaged by their marketing practices, I WOULD NOT RECEIVE A DIME! But, their main competitors will be "paid off". . . . Something is wrong with this picture. This suit should NEVER have been brought against Microsoft. It most definitely sets a dangerous precedent, for obvious reasons. Please bring this chapter of economic skulldugery to an end, ASAP. This whole witch hunt has been an acute embarrassment for the Justice Department and a drain on the taxpayers of America. Enough, already.

Sincerely,

Barbara Haugen

Cedar City, UT

MTC-00014808

From: Dan Trevino

To: Microsoft ATR

Date: 1/22/02 11:21pm

Subject: Oppose

Microsoft Settlement

I am against the proposed settlement with Microsoft corp. The judgment does not

address the serious anti-competitive practices that Microsoft continues to employ.

I believe Microsoft should be forced to allow other html rendering engines (browsers) to be integrated with all Windows operating environments. Microsoft can continue to assure the (albeit questionable) quality of their customer's experience by making available the Application Programming Interface (API) used to integrate Internet Explorer into Windows. In addition, I believe Microsoft's exclusive licensing practices with OEM computer manufacturers limits customer choice and has been the main limiting factor in the lack of further competition in the Operating System market.

In conclusion, I believe that unless substantial revisions are made to the final judgment, Microsoft will continue to exercise its monopoly power to the detriment of the computer industry and consumers.

Thank you.

Daniel Trevino

President

bluemagnet, llc

5710 Valley Point

San Antonio, TX 78233

MTC-00014809

From: gregory ernst snyder

To: Microsoft ATR

Date: 1/22/02 11:20pm

Subject: Microsoft Settlement

Dear Sirs,

Thank you for permitting me to submit comments on the case of United

States v. Microsoft Corporation. Since I'm sure you don't want to hear arguments about the case (those are for the courtroom) or proof that I know what I'm talking about (that would be tough to provide), I will be brief. You may count me among the Microsoft haters, and I am very pleased that the "remedy" of donating computers to schools was struck down. I like the idea of breaking the company into an applications and an operating system division.

Thanks for listening,

Greg

MTC-00014810

From: Kunal

To: Microsoft ATR

Date: 1/22/02 11:22pm

Subject: Microsoft Settlement

To: microsoft.atr@usdoj.gov

From: Kunal Arya (curlewfish@yahoo.com)

Subject: Microsoft Settlement

To Whom It May Concern,

Please be informed that as a concerned citizen and hence concerned consumer of the United States, I would like to side with the Department of Justice against Microsoft Corporation. I have been in the information technologies field for over eleven years now and I have constantly had to submit to the very limitations on innovation that the company has set forth. In fact, throughout the company's history, it has inhibited technological advancement by controlling if not completely subjugating its competition. The company was formed by Mr. Bill Gates with the sole purpose of getting ahead not technologically, but fiscally. His goals have always been to destroy that which opposes him and in their stead dominate the

computer market. I have seen competitive operating systems rise, and then fail, causing the collapse of companies as a direct result of Microsoft's monopoly. An example of this is Be Incorporated, a software company that marketed its BeOS (www.be.com). The company was recently forced to sell "substantially all of its intellectual property and other technology assets to Palm, Inc. and [cause] the dissolution of Be through the adoption of a plan of dissolution." (Source: http://www.be.com/) There have been several other attempts to compete against Microsoft, but have failed and resulted in the dissolving of software corporations. Not only does this affect the technology industry, but the gross U.S. economy, as it removes the very competitive viability that defines capitalism. In the best interest of technological and economic growth, I strongly believe that the Department of Justice must curb the overpowering corporation and put an end to the monopolistic practices and restricting technologies of Microsoft. As the world moves towards complete electronic commerce, and billions of dollars go into electronic transactions annually, we must ensure that this new marketplace remains corporately viable and economically in tact, open to all who want to expand and grow. Intervention is the safety net for innovation, and the US Government must protect the interests of its domestic industries in order to protect the interests of its consumers. Where do I want to today? Towards technological advancement and away from restricting corporations. Thank you for your time.

Sincerely,

Kunal Arya

curlewfish@yahoo.com

MTC-00014811

From: David Ford

To: Microsoft ATR

Date: 1/22/02 11:27pm

Subject: Comment on Microsoft Settlement

I feel strongly that justice has been blinded by the color of commerce. Each day that passes, Microsoft works to strengthen its monopolistic holds. Monopoly in itself is not illegal, but the practices Microsoft uses to accomplish its goals are.

This settlement is nothing but a slap in face of those who seek faith in the Department of Justice. Not only is this settlement a far cry from justice, but it furthers the monopoly of Microsoft.

The citizens of the United States rely on the Department of Justice to mete out and preserve justice. Protect the naive and serve the principles of our country.

Choose wisely and be diligent in your duties. You are the arm of the law.

Sincerely,

David

MTC-00014812

From: Jeremy Green

To: Microsoft ATR

Date: 1/22/02 11:24pm

Subject: Opposition to proposed Microsoft settlement

I believe that the proposed settlement to the Microsoft anti-trust case is unacceptable. The settlement allows, and even encourages,

the advancement of the Microsoft monopoly by requiring them to supply hardware and software to schools. Microsoft does not traditionally carry a majority of the school market share, yet this move would allow them to increase their percentage of the educational market while also allowing them to use roughly 1/4 of the total 'cost' of the settlement to pay for hardware while using the other 3/4 to pay themselves for the software they're providing, which is helping their overall market penetration. This is a settlement that was obviously proposed by a company who has no respect for the justice system and is counting on the system being too stupid to see through their plans. I hope that you all will do the right thing to encourage competition in the US marketplace. While a truly appropriate penalty will be hard to come to, one that rewards a defendant for wrongdoings of which they have been accused is clearly not in the interest of the American people.

I can be reached at this email address (jgreen@dcom-solutions.com), or at the following mailing address:

Jeremy Green
2201 Cottonwood Road
Norman, OK 73071
Sincerely,
Jeremy Green
Jeremy Green
CTO, Digital Commerce Solutions
jgreen@dcom-solutions.com
<http://www.dcom-solutions.com>

MTC-00014813

From: Matt Squires
To: Microsoft ATR
Date: 1/22/02 11:49pm
Subject: Microsoft Settlement

Hi Renata,

First, let me apologize in the event you have received another email from me with much of the same content. I recently had to reload my Windows due to chronic instability, and after the fresh install of Windows, the Netscape email software I go out of my way to download and install didn't work at all for some reason, and I had to find alternate software. With my new software, I still don't know my way around, and inadvertently hit the "send" button on a half-finished email. How embarrassing. Of course, since I'm writing to let you know about the damage Microsoft's abuse of their monopoly has caused the average user, this may be a telling example, and a taste of the average Windows experience. If you can, please remove the other, unfinished copy of my email from your records, as it is disjointed, garbled, and incomplete.

I am a longtime Microsoft Windows user (not by choice), and I have been constantly disappointed over the years by the weak judgments handed out against Microsoft time after time by the legal system. I am even MORE disappointed by the fact that Microsoft has blatantly broken the already lenient terms set out by the government in the past, and has not been amply punished for their disobedience in any way whatsoever. Justice is more than a judgment on a piece of paper. The "appearance" of justice is also important, and that is one thing that is sorely lacking, especially in this most

recent case. From what I've seen so far, Microsoft has won again, managing to get watered-down restrictions that won't slow their assault on the consumer and their competition in the least. Most people have told me not to even bother writing this letter to you, that the government is either:

a) paid off by Microsoft, or
b) under orders by George Bush to let Microsoft go free regardless of findings of fact. This is the current public perception. Of course, I am hoping that neither of these foul possibilities is the case, and that there still is a chance to have a fair and reasonable set of terms and conditions set down in the Final Judgment.

I ask that the Department of Justice strengthens the terms and conditions against Microsoft in the Final Judgment SEVERELY. I have read the information at the DoJ website concerning the Microsoft antitrust case, and I do not feel you have gone far enough to create a level playing field for all parties in the technology marketplace. Looking at the ideas put forth on <http://www.usdoj.gov/atr/cases/f9500/9549.htm>, I am afraid that these restrictions will not force Microsoft to:

a) change their savage anticompetitive tactics,
b) lose marketshare to superior, more deserving products, or c) understand that they are being punished for their behavior. They have made hundreds of billions of dollars directly because of their abuse of their monopoly, and this judgment should attempt to counterbalance that gain, since the power they have gained in the last 10 years of domination has guaranteed their stranglehold for the next 20. This judgment feels like it is a good step in "starting clean", but it does not punish Microsoft for their past offences. They have still profited greatly from their crimes. And the inroads they have made into all walks of digital life are a great barrier to competition, even if a level playing field were miraculously established.

I am a Canadian, so what I say may not hold as much sway with your department. But the results of this case will, and should, have worldwide ramifications. Canadians, Germans, Australians, Africans, Japanese people, and the rest of the world, are ALL feeling the negative effects of the Microsoft monopoly. I personally feel that I have suffered greatly because of Microsoft's business practices. As a user, I DIRECTLY relate their influence and predatory policy to the downfall of many technologies that were superior or more popular at the time of Microsoft's attacks on the competition. I, as a consumer, have suffered because of their abuse of their position. I have had my choice and options restricted by their behavior.

I wish I could switch to another operating system to become Microsoft-free, but Microsoft has been giving out Microsoft Office CD's free with OEM computers long enough that they have pretty much killed Corel's Wordperfect Suite (among others), which used to have the 90% market share that Office now enjoys. And since I receive documents daily in the proprietary Word, Excel, and Powerpoint formats, I am forced to use Microsoft's product whether I like it or not. When a customer sends me a Purchase Order in Word XP format, I not

only have to use Microsoft Word to open it, I have to buy the new Microsoft Word "XP" version, simply to open the file! And then when I send correspondence to another customer or supplier, they in turn have to buy Word XP in order to open my document. It's a vicious cycle, propagated by one thing—Microsoft's closed, proprietary formats.

I sincerely believe that there is no chance of Microsoft changing their ways unless the API's and proprietary document formats that they rely on to extend and maintain their unfair monopoly are opened up for non-Microsoft use, with a different license than the one offered on MSDN. If Microsoft determines the licensing (as is in your COMPETITIVE IMPACT STATEMENT), they determine how the information can be used. This doesn't help competition with Microsoft, it only helps Microsoft themselves. They may gain additional control through changing their licensing, and nobody can stop them, since we all rely on their droppings of information to survive in the software world. Programmers beg for table scraps of information from MS because we can't get it ourselves. Please promote freer licensing terms and more open spreading of the Microsoft specification sheets so the maximum number of programmers (from ALL Operating Systems) can become compatible with Microsoft's software, thus breaking the reliance on one company for so many electronic transmissions. Please consider forcing open the formats that Microsoft currently holds secret for a reason, or please consider having Microsoft use the most "open" format as their default instead of the most proprietary (ie RTF instead of DOC, etc.) There are perfectly good Open formats that can replace Microsoft's predatory and proprietary closed formats. Please give full communication with other vendor's software a chance by pushing for openness rather than secrecy. I would switch to another operating system if I wasn't forced by my customers and the people I deal with to transmit almost all data in specific, proprietary, closed Microsoft-only formats. Microsoft won by forcing their proprietary formats to be the default in the market, thus killing all non-MS software instantly; give competition an opportunity to "get in the game" by forcing standardization and openness into the industry that made billions on secretive formats and purposeful exclusion of competitors. Computers and the Internet are tools of communication; Microsoft is the greatest hindrance to open communication in the world today. Please help build a strong and OPEN foundation for the world's communications infrastructure for the future.

As long as they have the weight of their Windows monopoly to use as a club, the situation can only get worse. And if you don't act -decisively- now, we may not get another chance. There will be a lot less evidence in the next Microsoft case, since they're shredding all emails now to prevent them being subpoena'd in the future. This is your one chance to right the wrongs of capitalism gone awry. If this case doesn't break Microsoft's legs, in five years from now, they will have trampled all their

competition to death. That sounds harsh, but only because Microsoft constantly claims they are the victim in this case. They're not. I am. The consumer. The programmer who would compete with Microsoft if there was any hope. If you want, I can name names of companies with superior products that are gone solely because of Microsoft's behavior and the results of their freedom to abuse their monopoly. Microsoft is so far ahead of the competition in this "free market race", that the competition Microsoft has already crippled and left crawling, like Apple, Corel, and Netscape, will only catch up if Microsoft's legs are broken in kind. If you have mercy, be certain Microsoft will not. Someone will be broken, you decide if it is Microsoft or another victim.

In the news recently, Microsoft has bought much of Silicon Graphics' Patent Portfolio, specifically the patents for OpenGL, which is in direct competition with Microsoft's own DirectX. By buying the patents of the dying competition (SGI also has no air supply), Microsoft can LEGALLY kill the 3D and gaming capabilities of ALL non-Microsoft Operating Systems. Apple will die. They based their new operating system on heavily on OpenGL. Linux will die. Like Apple, they don't have access to Microsoft's DirectX (obviously), and rely heavily on OpenGL to give their system functionality. Who will buy a computer if their kids can't play games on it, especially when Microsoft owns the Office genre and won't allow anyone else to communicate with their product? There's nothing else left. Microsoft owns it all. They have their fingers in with hardware producers now, who will have to exclude other operating systems from their designs in order to appease Microsoft. This isn't relevant to your case, but it is an example of the complete lack of respect Microsoft has for your verdict. They aren't worried in the least. And their business plans continue unaffected and unharmed. They will buy everything that is competition and bury it specifically to harm others.

I hope that you will consider my points as you decide what to do to bring equity to the PC market.

I'm sorry for being so wordy (and waxing poetic (badly) in a few places), but as a guy who works on computers 12-15 hours a day, Microsoft has honestly lowered my quality of life, and I'd hate to see them get out of yet another trial unscathed. Which, unfortunately, is what looks like is happening. Bill Gates admitted it when he said "We haven't changed our business practices at all."

Think about it. This may be the last Microsoft case that will ever matter.

Best Regards,
Matthew Squires

MTC-00014814

From: Herbert Bruce Dimmitt
To: Microsoft ATR
Date: 1/22/02 11:51pm
Subject: Microsoft Settlement

Based on what I have been informed as to the features of the proposed settlement, it appears not to be monopolistic or anti-competitive. Accordingly, I support adoption of the settlement and urge such action.

Herbert Bruce Dimmitt
9971 Bluejacket
Overland Park, Kansas 66214-2314

MTC-00014815

From: DanielSiemens@aol.com@inetgw
To: Microsoft ATR
Date: 1/23/02 12:02am
Subject: Settlement

I believe the settlement of the antitrust case has been somewhat too harsh. Their anticompetitive behaviour is not the case. People do have choices and we should not hurt companies for engaging in interest to further the industry.

This industry moves far to fast for anyone to sit still in.

Thank you for noting my coments on the issue.

MTC-00014816

From: Chris Chaves
To: Microsoft ATR
Date: 1/23/02 12:26am
Subject: Microsoft Settlement

Honorable Judge Kollar-Kotally,
As an employee in the high tech industry, I am aware that Microsoft has used its operating system monopoly to dominate other software markets as well. In fact, every court has concluded that Microsoft violated antitrust laws in this manner.

The proposed final judgment does nothing to prevent Microsoft from continuing in this behavior and would amount to a government mandate of the monopoly. Furthermore, the many billions of dollars Microsoft earned illegally from its antitrust violations go untouched. Virtually no penalty is applied.

Due to these serious flaws in the proposed U.S. vs. Microsoft settlement, I ask you to reject it.

Sincerely,
Chris Chaves
170 Tillman Ave.
San Jose, Ca. 95126
(408) 920-0365

MTC-00014817

From: Kbtam888@aol.com@inetgw
To: MS ATR
Date: 1/23/02 12:31am
Subject: Microsoft

6950 Southwest 155th Avenue
Miami, Florida 33193
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr Ashcroft:

The recent settlement between the Department of Justice and Microsoft is in the best interest of the American public because it ends an extremely long and cumbersome litigation and it allows Microsoft to continue to innovate and grow.

Under the terms of settlement, Microsoft will not be broken up, which is a good thing, but they will be forced to comply with a number of harsh stipulations. These concessions include disclosing internal interfaces and protocols as well as improve relations with computer makers and software developers. They have also agreed to form 2-person team to monitor Microsoft's compliance with agreement.

These concessions should appease all opposition. I urge you to show the opposition that no more good can be done by continued litigation, and in fact, how it might even hurt the American economy and IT sector in particular.

Thank you for your time.
Sincerely,
K.B. Tam

MTC-00014818

From: David T. Alexander
To: Microsoft ATR
Date: 1/23/02 12:35am
Subject: The settlement is a joke, Bill Gates is a terrorist that doesn't use bullits,

The settlement is a joke, Bill Gates is a terrorist that doesn't use bullits, his products are either stolen or inferior. The later of the two would be easily fixed by creating competition and not to mention the security holes that appear in all of their software sure woule get fixed much quicker if they had antoerh peice of software to fight with.

MTC-00014819

From: Richard Doll
To: Microsoft ATR
Date: 1/23/02 12:35am
Subject: MS settlement
Richard Doll
5935 W County Road 200S
Danville, IN 46122
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
January 19, 2002

Dear Mr. Ashcroft,

Although I did not agree with this suit in the first place, it should be obvious to everyone by now it is time to move forward. The government should be extremely satisfied because the terms are extremely tough.

For example, Microsoft has agreed to document and disclose for use by its competitors various interfaces that are internal to Windows' operating system products. This concession represents a first for an antitrust settlement.

As a member of the tech industry for many years, I know what it was like before and after Microsoft arrived on the scene. They have made so many jobs easier and workers more efficient because of their products. Microsoft has become the industry standard and ending this litigation will free them to continue their excellence.

Sincerely
Richard Doll

MTC-00014820

From: Rob Helmer
To: Microsoft ATR
Date: 1/23/02 12:41am
Subject: Microsoft Settlement Hello,

I would like to let you know that I oppose the Microsoft settlement.

I've worked for numerous technology companies, both as a full-time employee and as a contractor, and I've seen first-hand some of the abuses that Microsoft has caused the computer industry due to it's monopoly power.

I've managed to make a living using non-Microsoft application software, and

interoperating with their applications or creating applications of my own as alternatives to their software.

However, I fear that Microsoft will continue to use their desktop operating system and business application control to push into the server software market and eliminate applications that do not feed Microsoft's revenue stream in some way, just as they have done in the desktop and business software markets. I oppose the proposed settlement on the grounds that it does not do enough to restrict Microsoft from using their monopoly power to push out smaller business from any market that they turn their attention to.

Thank you.

Robert Helmer

532 Liberty St.

El Cerrito, CA 94530

MTC-00014821

From: Rob Preston

To: Microsoft ATR

Date: 1/23/02 12:54am

Subject: Microsoft Settlement

Microsoft Settlement: Any published programs to date of any plan on how to compensate the millions of people openly ripped off has been a sick joke so far from Microsoft.

Suitable Dream Plan: Recall any and all old Microsoft software disc. Microsoft to be forced to reimburse people 75% of the market price that was in place three months after the different programs came on the market. eg. Win 95 sold for \$150.00, so refund would be \$112.50 Please don't forget all of those that did not live or purchase their software in the US. In Canada we paid over \$ 200.00 for that same programe.

MTC-00014822

From: Nick Bellinger

To: Microsoft ATR

Date: 1/23/02 2:04am

Subject: Microsoft Settlement

To whom in may concern,

I am writing this email as in indicator of my dissatisfaction with the proposed remedy against the Microsoft Corporation as stated in the penalty phase of the antitrust trail. The main issue which is not being addressed in the proposed settlement is the restrictions that the Microsoft Corporation is STILL able to put on third party companies when it comes to creating an equal playing field for other third parties and other non-Windows Operating Systems to participate in the software ecomony. The Microsoft Corporation will still be able to apply predatory licencing practices of its software products making it impossible for third party software developers to enter into the Personal Computer Operating Systems, as well as non PC Operatings Systems and software market.

One of the biggest problems that has not been addressed in the proposed settlement is the keeping of the Microsoft Corporation's Microsoft Office Suite files in a proprietary format. This is a VERY dangerous road to continue to go down. This means that if businesses currently using Microsoft Office get sucked into the next upgrade cycle for Microsoft Office, there is NO way for interopertability of the Microsoft Office file

formats between third party software vendors. This means that any public document written and transferred using Microsoft Office will require the recipient of the document to be using Microsoft Office, or else they will not be able to open the file. This is exactly the type of predatory buisness practices that brought the antitrust suit against Microsoft, and this is one of the issues the proposed remedy does not address. The real solution is the open standardization of the Microsoft Office file formats so all comers can communicate with persons and buisnesses using Microsoft Office, without being forced to use Microsoft Office or other Microsoft software themselves. Another more important remedy is the forcing of the Microsoft Corporation to license the Microsoft Office suite to third party software vendors so it can be ported to non-Microsoft Operating Systems (ie: Linux and other Open Source Operating Systems) so that everyone is able to communicate using a standardized file format, and no users of non-Microsoft Operatings Systems and Microsoft Software are excluded from communicating with people using Microsoft software.

The second of the largest problems which is not addressed in the proposed remedy is the open publication of the Microsoft Corporation's Microsoft Windows API or Application Programming Interface. The main issue here is that the idea of APIs are very narrow defined in the proposed remedy, and the Microsoft Corparation will continue to be able to change its APIs to suite its own predatory needs, and not the needs of its users, the needs of users of non-Microsoft operatings systems, and the needs of the public as a whole. In addition the proposed remedy makes no mention of the APIs outside of the Windows Operating System for Personal Computers. (ie: it does not address the Microsoft Corporations other Operating Systems such as Windows XP Tablet Edition, Windows CE, PocketPC, or the X-Box Operating Systems). This sets a dangerous presidence as the Microsoft Corparation will be able to continue its predatory buisness practices outside of the Personal Computer Operating Systems market, therefore making any preposed remedy against its Personal Computer Operating System competely useless, as Operating Systems and Software will not be used on machines resemebling Personal Computers in the next decade. The real and only possible remedy to this problem is the open publication and documentation of ALL Application Programming Interfaces for ALL of the Microsoft Operating Systems regardless of platform. This will allow third party software vendors to create programs to interopt with the Windows Operating Systems and its Programs and File Formats (as previously mentioned). As the proposed remedy currently stands, third party software vendors are prevented from making their products work with the Windows Operating Systems, and allows the Microsoft Corporation to continue such predatory buisness pratices as making other Microsoft Software not function properly on non-Microsoft Operating Systems, which completly disregards the purpose of the antitrust trial in the first place.

The third of the largest problems which is not addressed in the proposed remedy is the terms the Microsoft Corporation is able license its software under. Under the proposed remedy the Microsoft Corparation will still be allowed to force large companies, state governments and univerties using its Enterprise Licensing Agreement for the number of computers which COULD run an Microsoft Operating System, even for computers running a NON-Microsoft Operating System. This has already found to be an unlawful practice in the 1994 concent decree, but the proposed remedy does nothing to address this problem. The forcing of OEMs (Orignal Equipment Manufacturers) by the Microsoft Corporation to only ship personal computers with the Windows Operating System, for fear of retaliation from the Microsoft Corparation. The perposed remedy does nothing to address this issue, and will allow the Microsoft Corparation to continue this practice which has already been found to be illegal. This issue holds true for NON Personal Computer Operating Systems as well. The perposed remedy does nothing to prevent the Microsoft Corporation from offering discounts of the Windows Opearting Systems to OEMs based on criteria such as sales of the Microsoft Office suite which allows the Microsoft Corporation to leverage its monopoly in the Personal Computer market to increase its market share in other areas. The only real solution to this problem is allowing ALL OEMs to ship non-Microsoft Operating Systems along with Microsoft Opeartings on the Personal Computer they will without fear of retaliation from the Microsoft Corporation. This will continue to be a huge issue as OEMs are now faced with such small profit margins (due to the current economic state), and are forced to pay the Microsoft Tax for all machines shipped, without the freedom to ship non-Microsoft Operating Systems. These are extremly important and underlying issues that are NOT addressed as the proposed remedy currently stands. I hope for the sake of our nation's ecomony and future that these are addressed, or we will all find ourselves in the same position a few years down the road, and things might not be so easy to fix then.

Respectfully,
Nicholas A. Bellinger
Citizen of the United States of America
Open Source Kernel Programmer and
Security Reseacher
39469 Gallaudet Dr. Apt #311
Fremont, CA, 94538

MTC-00014823

From: collin christensen

To: Microsoft ATR

Date: 1/23/02 1:06am

Subject: Microsoft Settlement

Dear judge,

To tell you the truth i do not know to much about this whole microsoft settlement. I do know what will happen if microsoft takes over though, and that obviously would not be good for anyone. The effects will be devastating. They will take over all computer companies and it will just be microsoft. They will raise the price of everything and the effects of that are easy to figure out. Please do not let the PFJ be passed.

Collin Christensen
540-612-5835

MTC-00014824

From: John Spriggs
To: Microsoft ATR
Date: 1/23/02 1:11am
Subject: Competition At The Crossroads
The Honorable, Judge Colleen Kollar-Kotelly
Your Honor:

Opportunities to "right" injustice within our increasingly competitive business culture, today, are a greater challenge, indeed more precious than ever and ones that we dare not let slip away.

The precedent that Microsoft has levied so skillfully in decreasing and sometimes even eliminating the ability to compete within the software industry is one that we have an opportunity to change.

This opportunity requires not only ongoing vigilance but firm action in correcting it now. We must not allow it to inadvertently and forever change the way Americans have traditionally and rightfully enjoyed business environments free from monopolistic harassment.

Allowing Microsoft to continue its present and purposeful course of monopolizing the software industry squeezes-off the lifeblood of our competitive freedoms and strikes at the very core of what makes, and has made, America markedly special among democratic nations.

Your Honor, you have an historic opportunity in changing this course. Nothing less than a fair and just settlement in the Microsoft matter is the responsibility that has been entrusted into your hands

As a Boeing 757 Pilot for America West Airlines, the needs of my employment and home-life require the use of both Microsoft and Macintosh operating system software. I see possibilities for a creative operating system environment that must not be snuffed out.

I ask for your fairness, your wisdom and clear judgement to prevail in the very critical decisions you face.

Sincerely,
John M. Spriggs

MTC-00014825

From: Tony Evans
To: Microsoft ATR
Date: 1/23/02 1:16am
Subject: Microsoft Settlement Comments

If the current proposed settlement in the antitrust case against Microsoft is implemented, it will shake my confidence in the system of justice of the United States of America. Microsoft was found to have broken the law, and that finding was affirmed unanimously on appeal. To allow them to keep the monopoly they have illegally maintained, extended, and abused is bad enough, but to let them continue the abusive practices is over the top.

I have been an observer of Microsoft and user of their products over the past 16 years. A number of their products, both developed by Microsoft and by companies they have since purchased, are important to the functioning of my small business. They have done a lot of good for me and for users of computers generally. They built a monopoly

in large part, fairly and legally. But that extra margin they they gained through nefarious means is the most damaging to consumers because it takes out the marginal players that can make the competitive market work.

The simple fact is that this is a bad settlement. It is a betrayal of the users of software, the software industry, and the American People generally. Microsoft has demonstrated in the past, and in the very language of this settlement that they will abuse the trust that it is based on, and carry on in their illegal ways.

Please do not let this case settle in this manor.

Respectfully, Tony Evans
Tony Evans
Lorton Data Inc
2125 E Hennepin Ave Ste 200
Minneapolis MN 55413
phn 612-362-0204
fax 612-362-0299
tevans@lortondata.com
www.lortondata.com
CC:tevans@lortondata.com@inetgw

MTC-00014826

From: Dawenico
To: Microsoft ATR
Date: 1/23/02 1:24am
Subject: Microsoft
David F. Brown
11698 Eagle Bend Road
Sandy, UT 84094
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 205301

Dear Mr. . Ashcroft:

For over three years now, Microsoft has been undergoing antitrust hearings in the federal courts. For a while, it seemed that the only solution that the plaintiffs would accept was the dissolution of Microsoft. Thankfully, the courts determined that such actions were unnecessary, and appointed a mediator to oversee negotiations between the Department of Justice and Microsoft. It was only after six months of continuous negotiation that Microsoft and the Justice Department were able to settle on a broad range of terms and conditions that would not only prohibit further violations on the part of Microsoft, but also restore fair competition to the technology market.

There is no reason to take additional federal action against the Microsoft Corporation. Were the settlement too lenient, as Microsoft's competitors claim, it would have done nothing to prevent future antitrust violations. But the settlement not only stops Microsoft from engaging in monopolistic behavior, it also extends these restrictive conditions to products and procedures not found to be unlawful by the Court of Appeals. Were the settlement any harsher, Microsoft would suffer severe losses that would be reflected in the economy and the technology industry. I believe this settlement is in the best interests not only of Microsoft and its competitors, but also of America as a whole. Microsoft has agreed to a wide range of restrictions and obligations, all of which will restore a competitive balance to the technology market. For example, Microsoft

has agreed to refrain from entering into any contract that would require a third party to distribute or promote Microsoft technology either exclusively or at a fixed percentage. Additional litigation can only mean trouble for the IT industry and the American economy. I urge you and your office to support the settlement and move on.

Sincerely,
David F. Brown

MTC-00014827

From: Ben Schreiber
To: Microsoft ATR
Date: 1/23/02 1:24am
Subject: Microsoft Settlement

I would like to register my opinion in favor of the proposed settlement with Microsoft. In my opinion, the settlement is more than adequate to prevent any further anti-trust violations by Microsoft. Furthermore, I think that any of the alternatives that I have heard would serve simply to benefit competitors at Microsoft's expense, rather than benefit consumers in any way.

Respectfully submitted,
Benjamin Schreiber
9431 126th Ave NE
Kirkland, WA 98033

MTC-00014828

From: Ewdison Then
To: Microsoft ATR
Date: 1/23/02 1:26am
Subject: Microsoft Settlement
Dear Sir or Mam,

I'm emailing you regarding my concern on Microsoft Corp case, I'm a student in Univ of North Texas and has been taking Microsoft way of business as my study case and has been following its development since their flagship product release of Microsoft Windows 95 back when i was in Singapore. I feel Microsoft has abused its position as a leading Operating System developer and manufacture. under any circumstances, Microsoft should be given a much heavier punishment than what it was suggested by Microsoft Corp themselves. I understand from financial standpoint, Microsoft could contribute to the tech industry from this case, but would "Justice" compromise with "Money" in this case?

Judge Jackson ordered a breakup in Microsoft Divisions was a very good call, i'm not a biased Microsoft so call "Hater", i'm just a student that see from the stand point of a normal human being that could see a little of the Right prospective & the Wrong prospective and i believe more people feels the same way with the controversial product Microsoft Corp released recently, Windows XP.

I hope DOJ would give the heaviest penalty to Microsoft on behalf of "Justice", after all, justice is what DOJ stands for.

Have a good day
Regards
Ewdison Then
Univ Of North Texas
edwison@isp.admin.unt.edu

MTC-00014829

From: Chuck Phillips
To: Microsoft ATR
Date: 1/23/02 1:43am

Subject: Microsoft Settlement

I am a software professional of 15 years, having written and supported applications for both Microsoft and competing products.

Dan Kegel would attempt to have loopholes in the Proposed Final Judgment closed as he describes in the following link: <http://www.kegel.com/remedy/remedy2.html>

Admirable as his intent is, I must respectfully disagree with Mr. Kegel that it is possible, much less practical, to close all of the loopholes Microsoft will inevitably find and employ no matter how careful and well-intentioned and regardless of the technical or legal expertise of the person(s) involved in the attempt. As an experienced repeat offender, Microsoft is too adept for any specific prohibitions to achieve much more than changes in labeling, or worse, cosmetic design changes to products that increase not only the development costs for Microsoft, but also for independent developers of software for Microsoft's Windows as well as those who develop compatible alternatives.

Rather than attempt to restrict actions, I propose the following remedial actions be required:

1. A public acknowledgment, specifically including:
 - a. Microsoft's deliberately spreading false information regarding competing products.
 - b. Microsoft's deliberately introducing changes in interfaces for the specific purpose of rendering competing products incompatible.
 - c. Microsoft's effectively prohibiting resellers of Microsoft products from selling competing products.
 - d. A reminder these actions can, and have, been pursued in civil courts—sometimes successfully.
 - e. A general commonsense warning that reliance on any business-critical product for which there is only one source can be detrimental to business continuity and profitability.

Apology optional. This public acknowledgment should include national advertising in the trade magazines most likely to be read by those who authorize purchases of Microsoft products. It should also include national advertising on the major television networks during periods of relatively high viewership ensuring some large minimum number of people have viewed the acknowledgment.

2. A concise mandatory warning label on every Microsoft product that can be read prior to purchase as well as after the product is installed—and made no less accessible or prominent than version and copyright information—preferably in the same manner.

This would include a brief restatement of 1a, 1b, 1c, 1d and 1e. Brevity and simplicity of wording are essential. A lengthy epistle of legalese will be understood only by lawyers.

3. A deadline for implementing 1 and 2 above.

4. The above actions and quarterly reviews for compliance should continue for a period of five years starting from the beginning of compliance. Whomever is responsible for deciding compliance should solicit input from leaders in the industry including, but not limited to, competitors of Microsoft.

No other measures. No fines other than court costs, enforcement costs and the

expense of implementing the above. In my humble opinion, Microsoft's gain by deception has been, and will continue to be, only effective so long as the deception is not well known and well understood by business leaders and the general public.

Also, it is my belief the people actually injured by Microsoft's deceptions are more likely to recover their losses in civil court via class action and individual lawsuits than by the changes likely to result from criminal prosecution. One objective of my recommendations is to lower the bar to civil remedies in the face of the considerable resources Microsoft can afford to unleash on the smallest, but well-founded, complaint.

Another objective is to correct the commonly held, but false, assumption that Microsoft has risen to its leadership position entirely because of the quality of its products—the reason most commonly given for not considering alternatives to Microsoft in my fifteen years of experience in the industry. By warning Microsoft's potential clients as directly as practical, they are less likely to make “no brainer” decisions based on market share instead of merit.

The last objective is ease of enforcement. The advertisements and warnings are present or not. They either acknowledge the required points in the language of a layperson or they do not. Contrast with a prohibition where the spirit, if not the letter, can be violated with impunity if enough cosmetics are applied—if the past is any indication.

Thank-you for your consideration,
Chuck Phillips

MTC-00014831

From: Jerry and Debbie Kotyuk
To: Microsoft ATR
Date: 1/23/02 1:48am
Subject: Microsoft Settlement

It is past time to stop wasting our tax dollars (and time) in going after a company which has created many thousands of jobs both directly and indirectly. Microsoft, its employees, shareholders, and the American taxpayer have been severely injured by the years of anti-business prejudice of the Clinton administration.

Also, this case was a deterrent to investors and entrepreneurs in the high-tech industry. Let consumers decide who wins or loses on Wall Street, rather than judges and bureaucrats. I strongly urge that the Microsoft settlement be recommended by the DOJ to the court.

Jerry Kotyuk
2300 Orleans Ave
Marietta GA 30062-7214
E-Mail: jdkotyuk@mindspring.com

MTC-00014832

From: Vincent Monaco
To: Microsoft Settlement
U.S. Department of Justice
Date: 1/22/02 10:31pm
Subject: Microsoft Settlement
Vincent Monaco
3050 Gerritsen Avenue
Brooklyn, NY 11229-6031
January 22, 2002
Microsoft Settlement
U.S. Department of Justice
Dear Microsoft Settlement

U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry.

It is high time for this trial, and the wasteful spending accompanying it, to be over.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Vincent Monaco

MTC-00014833

From: Eric Olson
To: Microsoft Settlement
U.S. Department of Justice
Date: 1/22/02 11:47pm
Subject: Microsoft Settlement
Eric Olson
6 Calle Maria
RSM, CA 92688
January 22, 2002
Microsoft Settlement
U.S. Department of Justice
Dear Microsoft Settlement
U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Eric Olson

MTC-00014834

From: Joyce Boyd
To: Microsoft Settlement
Date: 1/23/02 12:27am
Subject: Microsoft Settlement
Joyce Boyd
6453 Mercer St
San Diego, CA 92122
January 23, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Joyce Boyd

MTC-00014835

From: Michael Stuhler
To: Microsoft Settlement
U.S. Department of Justice
Date: 1/22/02 9:30pm
Subject: Microsoft Settlement
Michael Stuhler
8 Laurel Road
Lake Ronkonkoma, NY 11779
January 22, 2002
Microsoft Settlement
U.S. Department of Justice
Dear Microsoft Settlement
U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Michael Stuhler

MTC-00014836

From: Rudy Petorelli
To: Microsoft Settlement
U.S. Department of Justice
Date: 1/22/02 8:16pm
Subject: Microsoft Settlement
Rudy Petorelli
519-1 Joseph Ct
Naples, FL 34104
January 22, 2002
Microsoft Settlement
U.S. Department of Justice
Dear Microsoft Settlement
U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Rudy Petorelli

MTC-00014837

From: Marlene Petorelli
To: Microsoft Settlement
U.S. Department of Justice
Date: 1/22/02 8:16pm
Subject: Microsoft Settlement
Marlene Petorelli
519-1 Joseph Ct
Naples, FL 34104
January 22, 2002
Microsoft Settlement
U.S. Department of Justice
Dear Microsoft Settlement
U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,
Marlene Petorelli

MTC-00014838

From: Suzanne Matthies
To: Microsoft Settlement
Date: 1/22/02 11:34pm
Subject: Microsoft Settlement
Suzanne Matthies
5636 Washington Street
Downers Grove, IL 60516-1325
January 22, 2002
Microsoft Settlement
U.S. Department of Justice-Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

Suzanne Matthies

MTC-00014839

From: Richard Eizenhoefer
To: Microsoft Settlement
U.S. Department of Justice
Date: 1/22/02 11:06pm
Subject: Microsoft Settlement
Richard Eizenhoefer
16611 NE 108th Place
Redmond, WA 98052-2707
January 22, 2002
Microsoft Settlement
U.S. Department of Justice
Dear Microsoft Settlement
U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. The sole motivation for the trial was to benefit Microsoft's competitors. Consumers and the United States economy have suffered irreparable harm, and still only Microsoft's competitors and greedy trial lawyers stand to benefit. I am a Microsoft employee, and more importantly a United States taxpayer.

It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,
Richard Eizenhoefer

MTC-00014840

From: David Kelly
To: Microsoft ATR
Date: 1/23/02 2:43am
Subject: Microsoft Settlement
Hello,

As a computer professional, I would just like to say that I am in favor of RedHat's proposal to give away its Linux operating system for free to school districts and make Microsoft pay for the hardware. In addition, none of the hardware should be made by Microsoft (Microsoft mice/keyboards, etc.).

The RedHat proposal can be found on RedHat's website at: <https://www.redhat.com/about/presscenter/2001/press-usschools.html>

Regards,
David

MTC-00014841

From: Kevin Hubbard
To: Microsoft ATR
Date: 1/23/02 2:46am
Subject: MS Settlement

I'm disappointed. Yes I live in Washington State, yes many of my friends and fellow engineers work for Microsoft. For their sake, Washington State sake, and USA economy sake, I should be happy that Bill and Co only got a mild wrist slapping, but I'm not.

Microsoft's business practices are monopolistic, which is surely wrong from a good vs. evil perspective as they put little companies out of business.

What really makes me angry about Microsoft and this ruling is that their monopolistic business practices stifles innovation in the technical arena which I am dependent on for a living. Microsoft is on the verge of taking over access to the web after shutting Netscape nearly out of business. Internet Explorer has been forced onto 90% of the PCs in the land. Now the web-site norm is to support Internet Explorer as a requirement. We're starting to see many web-sites no longer work properly with the underdogs (Netscape, Mozilla, etc.). Just last week my employer installed a Microsoft Proxy Server, which by-the-way, runs just great with Explorer, but when Netscape is used to talk to the Web thru the MS-ProxyServer, you are required to login with a username a password after a 10minute timeout. Is Microsoft shutting out the competition 100%, No, but they are being just annoying enough to persuade the common user to ditch all products other than theirs. Just like MS-Word before it, nobody loses their job making their web-site talk to Internet Explorer and not Konqueror or Mozilla or some other browser. Internet Explorer is not available for open-source OS's such as Linux. Its not even available for Sun Solaris. Thats a problem. Why is Microsoft giving away Internet Explorer for MS-Windows users but not providing Internet Explorer for alternate OS's, either in compiled binary or source code? Simple. This emerging strangle-hold on web-browsing is positioning alternate OS's out of business. Thats bad.

Best Regards,
Kevin M. Hubbard
Senior Electronic Design Engineer.
4034 251st PL SE
Issaquah, Washington 98029
January 22, 2002

MTC-00014842

From: Lars Gilstrom
To: Microsoft ATR
Date: 1/23/02 2:47am
Subject: Microsoft Settlement

Your Honor,
I have been an electrical engineer for 7 years and have been following this antitrust case since 1995. I have purchased Microsofts new XP Windows because my Windows 98 became so unstable (truly a defective product). XP was \$99, up from \$89 for Windows ME, up from \$79 for Windows 98. I can not believe the software that Microsoft has bundle with the operating system. Windows Media alone competes with dozens of other programs you should have to play

for. Clearly Microsoft has not changed their ways. I urge the court impose strong sanction on Microsoft so that competition is restore in this vast market. Microsoft charges too much for their software, its products are defective, the singularity of operating systems with single office software and browsers running on it poses a huge security risk for the Internet.

Please do the right thing.
Thank you for your time,
Lars Gilstrom 667 College St
Woodland, CA 95695

MTC-00014843

From: Bill Longabaugh
To: Microsoft ATR
Date: 1/23/02 1:42am
Subject: Microsoft Settlement

I am writing to comment on the proposed settlement of United States v. Microsoft. In short, the current proposal is severely inadequate to the point of being a travesty. Despite the fact that this is probably the most significant, complex, and troubling antitrust case of our generation, the Justice Department has apparently now decided to abandon the entire effort, and rush out a fatally flawed settlement full of loopholes that Microsoft can use to avoid any meaningful restrictions on its illegal behavior.

The current agreement is flawed, in that it just concentrates on trying to restrict behavior that Microsoft has used in the past to maintain its current monopoly status. However, it even fails to achieve this inadequate goal.

For example, Sections III.D and III.E state that Microsoft must document its APIs "... for the sole purpose of interoperating with a Windows Operating System Product." This completely ignores the usefulness of having APIs documented to allow Windows applications, such as Office, interoperate with a non-Microsoft operating system, such as GNU/Linux. Also, according to Section III.J.1, Microsoft is allowed to not disclose information if it deems that it would "compromise ... security". It is generally recognized within the computing security community that truly secure protocols and algorithms can be publicly distributed and discussed without compromising security. In fact, the public disclosure of this information is a way to allow consumers to determine for themselves if a supposedly secure implementation is truly secure. Thus, this provision merely provides Microsoft with just another loophole that they can use to unilaterally refuse to disclose information about the Windows operating system to independent developers.

Section III.J.2 also contains an egregious error. Since Microsoft has utterly destroyed viable commercial competition, volunteer efforts such as GNU/Linux, the Samba project, and WINE have become the best chance at providing consumer choice in PC software. However, the proposed agreement allows Microsoft to decide who it will share its API disclosures with. Specifically, Section III.J.2 allows Microsoft to decline to provide information to any party that it decides fails to meet ... reasonable, objective standards established by Microsoft for certifying the

authenticity and viability of its business". Given this provision, Microsoft could easily refuse to share crucial API information to private parties who are trying to build open-source alternatives to Microsoft software.

It is also disturbing that after years of legal proceedings, the Justice Department has allowed Microsoft to continue to state in Section VI.U that "... the software code that comprises a Windows Operating System Product shall be determined by Microsoft in its sole discretion." I feel that this belief, which Microsoft adamantly refuses to modify, lies at the core of Microsoft's illegal behavior.

Finally, there is no effective enforcement mechanism. In this regard, I quote Professor Lawrence Lessig, who has stated: "... the settlement is fatally flawed. There is no effective enforcement mechanism to assure that Microsoft lives up to the terms of the decree. The "technical committee" does not have the power to interpret the decree. The only entity that can interpret the decree is a federal court." (Quoted from: <http://slashdot.org/article.pl?sid=01/12/21/155221>)

So, the current proposed settlement, which concentrates on past behaviors, is fatally flawed. Any settlement that has any hope of correcting the imbalance in the market needs to go much further. As a minimum:

1) The settlement should require Microsoft to release Windows API and networking protocol information freely and without limitations. All software developers, be they private, commercial, or in the government, should be able to obtain this information. They should be able to use this information to write software that interoperates with Microsoft operating systems, as well as to develop software that allows Microsoft applications to operate with non-Microsoft operating systems. This would permit the volunteer teams working on GNU/Linux, Samba, and WINE to continue their crucial efforts to provide alternatives to Microsoft monopoly products.

2) In a similar fashion, file formats for the Microsoft Office suite of applications need to be made freely available, without limitations, to allow developers to create other products that interoperate with these applications. MS should be required to support those teams trying to insure interoperability.

3) Any Microsoft products that are available on new computers must be offered as extra-cost options on those computers, so that consumers have an option of purchasing computer hardware without an operating system. This allows users of free operating systems such as GNU/Linux to avoid having to buy products they do not want or use.

4) The settlement should also provide for an enforcement mechanism with real teeth, so that issues arising over the agreement can be settled without having to resort to the federal courts.

5) There should be a considerable fine imposed on the company for its illegal behavior.

6) Innovative structural remedies, such as requiring Microsoft to sell off their developer tools business and/or their browser business, should not be off the table. These approaches could significantly help to change the currently unhealthy dynamics in the PC software industry.

In summary, Microsoft has had far too much influence on crafting this settlement. The company has shown that it will take maximum advantage of loopholes in any agreements it makes; the 1994 consent decree was a wretched failure at restricting their illegal behavior. Since then, the federal courts have ruled that Microsoft has indeed violated the Sherman Antitrust Act, and yet the Justice Department has again allowed Microsoft great leeway in crafting a settlement. I would argue that any settlement that Microsoft can freely agree to does not go far enough; the Justice Department should use the leverage it has gained to see that the courts impose an agreement on the company that leaves Microsoft without any wiggle room that allows it to continue its illegal behavior.

The bottom line is this: if this settlement is truly adequate, why have half of the plaintiffs in this antitrust action refused to sign on, and instead have decided to continue pursuing the case? The answer is simply that this poor excuse for a settlement is utterly and completely inadequate.

Sincerely,

William J.R. Longabaugh
4047 51st Ave SW
Seattle WA 98116-3616

MTC-00014844

From: Andrew Silvis
To: Microsoft ATR
Date: 1/23/02 2:55am

Your honor,

I'm writing to voice my opposition to the proposed settlement in the U.S. vs. Microsoft case. Microsoft has benefitted from violating anti-trust laws, and this settlement would only increase the company's presence in the market. There is no guarantee that Microsoft, a repeat offender of anti-trust laws as determined by every court, won't continue its anti-competitive behavior. We the consumers pay the price.

Please strike down the proposed final judgment which does nothing to punish Microsoft.

Respectfully,
Andrew Silvis
PO Box 1740
Hawalli, Kuwait 32018

MTC-00014845

From: Andreas Mohr
To: Microsoft ATR
Date: 1/23/02 3:12am
Subject: Microsoft Settlement: deep concerns
Dear Sir / Madam,

I'm deeply concerned about the proposed Microsoft Settlement. I just read that despite its numerous legal and syntactic flaws which allow Microsoft too much freedom in interpreting its rules, it's about to get passed.

It's been clear almost from the beginning to many people that the Settlement as proposed by Microsoft is way too weak. And now people tell me that it's probably going to be passed.

Once this happens, then I'll know what to really think of the American "Justice" system.

I'd like you to think again before deciding on this issue.

Yours sincerely,

Andreas Mohr, Open Source programmer

MTC-00014846

From: Stephen R. Savitzky
To: Microsoft ATR
Date: 1/23/02 3:24am
Subject: Microsoft Settlement

As a computer scientist with thirty years' experience in computer-related industries, I wish to submit my comments under the Tunney Act on the Proposed Final Judgment in United States v. Microsoft.

I agree completely with the problems identified in Dan Kegel's analysis (on the Web at <http://www.kegel.com/remedy/remedy2.html>), namely:

- * The PFJ doesn't take into account Windows-compatible competing operating systems
- * The PFJ Contains Misleading and Overly Narrow Definitions and Provisions
- * The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft
- * The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft
- * The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs
- * The PFJ as currently written appears to lack an effective enforcement mechanism.

The PFJ can be summarized briefly as saying that Microsoft agrees to publish some of its prices and license a few of its API's and protocols (possibly at a high price and for strictly limited purposes) while continuing nearly all of its current exclusionary practices and enjoying carte blanche to extend its monopoly into tablet PC's, palmtops, set-top boxes, game consoles, and in fact into every kind of product except desktop PC's, where it already enjoys a monopoly which the PFJ does little to address.

I would add that Microsoft's biggest competitor is the free, community-developed operating system GNU/Linux, and that many provisions of the PFJ (for example, section I, which provides for the payment of royalties for "any intellectual property rights owned or licensable by Microsoft that are required to exercise any of the options or alternatives expressly provided to them under this Final Judgment") seem expressly designed to prevent the community of individual developers that constitutes Microsoft's only effective competitor from deriving any benefit or protection under the PFJ. Moreover, I.3. explicitly allows Microsoft to refuse to license its technology for use in open-source software—again its only effective competition.

Worse, Sections D and E include the phrase "for the sole purpose of interoperability with a Windows Operating System Product", thus explicitly allowing—indeed, encouraging—Microsoft to prohibit the development of a competing operating system that runs Microsoft applications.

Similarly, more PC's are manufactured and sold by small local and regional "white box" dealers than by large OEMs; these small entities similarly derive no benefit from the PFJ.

Then, too, PC's can be expected to be a rapidly-diminishing portion of Microsoft's operating system market: Microsoft operating

systems are built into pocket-sized organizers (the Pocket PC), game consoles (the Xbox), set-top boxes (WebTV), and new products such as "tablet" computers and "web pads", not to mention servers. The PFJ in its current form explicitly excludes all of these non-PC devices from its proposed remedies.

Finally, a large part of Microsoft's monopoly power is derived from its ability to change file formats and protocols at will. This makes it practically impossible to write software that interoperates with Microsoft applications and operating systems, and allows Microsoft to force users to upgrade continuously in order to maintain access to their own data.

Considering that Microsoft has already been convicted of abusing its monopoly power, and that this conviction has been upheld on appeal, it hardly seems necessary to ask whether it is in the public interest to allow Microsoft to dictate the terms of its own "penalty" in a manner almost completely favorable to itself. However, the Tunney Act asks this question, and it seems safe to answer resoundingly in the negative. I've been struggling to find a pithy analogy for this situation, but I can't. It's almost like the old joke in which a convicted murderer is given his choice of execution methods and chooses to die of old age.

But this is monopoly, not murder, and it isn't funny.

What can be done to fix the PFJ? A few obvious improvements come immediately to mind. These can be briefly summarized as:

- o require Microsoft to publish all of its prices.
- o require Microsoft to publish all of its API's, protocols, and file formats, and allow them to be used for any purpose including the development of free, competing operating systems.

- o extend these provisions to all Microsoft operating system products, not just those that run on personal computers.

In particular,

1. Extend the "Covered OEMs" of section B to include ALL LICENSEES. Microsoft should publish its prices, period.

2. In section D, replace ". . . disclose to ISVs, IHVs, IAPs, ICPs, and OEMs, for the sole purpose of interoperating with a Windows Operating System Product. . . ." with the phrase ". . . disclose to the public, for any purpose, . . .", hence making all operating system API's freely available and allowing competing operating systems to run applications originally designed to run on Microsoft operating systems.

3. In section E, replace "make available for use by third parties, for the sole purpose of interoperating with a Windows Operating System Product, on reasonable and non-discriminatory terms (consistent with Section III.I)" with "make available to the public specifications for. . ." and hence require all communication protocols to be open. It is well known in the computer security community that any communication protocol which is not open to public scrutiny represents a grave risk to the public, because anyone who discovers a hidden flaw can exploit it for a long time before the flaw becomes known to others.

4. Insert a section similar to section E which replaces communications protocols

used to interoperate with a Microsoft server operating system with file formats required to interoperate with Microsoft applications.

5. Modify section I.1. to require Microsoft to waive license fees for use in software which is freely given away. Modify section I.3. to allow licensees to freely distribute source code.

6. In VI section O, replace "Personal Computers" with "Computers".

7. Replace VI section Q with a suitable definition of "Computer" as any computing device that is capable of running a Microsoft Operating System Product. In any case, it must include both servers and such consumer products as tablet computers, pocket PC's, and game controllers.

8. In VI section U, define "Microsoft Operating System Product" as any Operating System sold by Microsoft.

I believe that these suggested changes are the minimum required to prevent Microsoft from not only perpetuating its current monopoly on the personal computer, but extending it into other, and indeed larger, areas.

Sincerely,
 Stephen Robert Savitzky
 Contact information:
 Home: 343 Leigh Ave
 San Jose, CA 95128
 Phone: 408-2994-6492
 E-mail: steve@theStarport.org
 Work: Chief Software Scientist
 Ricoh Innovations, Inc.
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 CC:steve@rii.ricoh.com@inetgw

MTC-00014847

From: Ed Howland
 To: Microsoft ATR
 Date: 1/23/02 3:23am
 Subject: Microsoft Settlement

Dear Sirs,

I'd like to voice my opinion on the proposed Microsoft Antitrust settlement as allowed under the Tunney Act.

My main objection to the settlement is that there doesn't seem to be any penalty to Microsoft. As a remedy, it seems worse than the original harm, especially in certain areas dealing with Independent Software Vendors (ISVs) I have been a software engineer with 18 years writing software for Unix and Microsoft OSes. It has been my experience that when using Microsoft's products from version to version, new features for ISV developers are seemingly obfuscated and you need to pay more money to get the fix or documentation. I can relate many horror stories about missed project dates due in main to some undocumented "feature" (read: bug) in a new Windows API.

Because of the narrow wording of the agreement with regard to APIs in particular, it is pretty easy for Microsoft to publically say they are in compliance with the agreement. However, with just a renamed (not a new release) version they can return to their anti-competitive ways. This, in my opinion, does little to reduce my barrier to entry. Indeed, after this goes into effect, I predict Microsoft will release a new application that competes

with mine and works much better with XP than mine does.

Section III.H.3 and Section III.D fail to help ISVs like me to develop and deliver competing middleware products because the required technical documentation might not be delivered on time to be included in the next release of the OS. Again, Microsoft's own middleware developers have the advantage of me with advance knowledge and if I'm not very very very good, I will miss the boat and likely the small market window as well.

Because of the hardships placed on me as an independent developer, I have switched completely from Microsoft products to Java and the Linux OS platform. I might like to do both in the future, if as Mr. Ashcroft states, these barriers to entry will be removed by the settlement. I actually think they will be higher in the end, because I might be led down the primrose path to find that I have to work under even worse conditions to perform the same level I used to.

If that were not bad enough, Microsoft seems to be attacking my new source of income by going after Open Source applications and operating systems. This is my biggest grievance for the future. As Dan Kegel says in his paper on the proposed settlement, Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry.
<http://www.kegel.com/remedy/remedy2.html#abe> (1)

There are many other points of contention I find in the PFJ, but these are the most relevant to me and my source of income. I think that the point of an anti-trust settlement should be to redress damages done to the plaintiffs not to reward the defendant. This settlement seems to say Microsoft will not be allowed to harm me in the future, but clearly I believe I will be worse off no matter which way I turn. Windows application development will be next to impossible under the restrictions, and Open Source work will be prohibited. It seems my only choice as a software engineer in the coming years will be to submit my resume to Microsoft and hope they hire me, or to flip burgers.

Thank you for taking the time to read my letter and hearing my concerns over this matter.

Sincerely,

Ed Howland

St. Louis, Mo

(1) <http://www.kegel.com/remedy/remedy2.html>

MTC-00014848

From: Charles S. Pecoraro
 To: Microsoft ATR
 Date: 1/23/02 3:27am
 Subject: Microsoft Settlement

To whom it may concern,

I'm not a CEO or anything like that but I am a college student who believes in a free market but not at the cost of a competitive one where the consumer, who drives the market, becomes the victim of an unregulated

stranglehold upon it. It is vital that competition remains vigorous to produce the best possible product at the lowest possible price. We can not afford to have Microsoft, which I have nothing against personally, control a market which plays such a large part in the everyday functions of business around the globe. thank you for your time.

Charles S. Pecoraro

1247 w. 30th st. apt 110

Los Angeles, Ca 90007

CC:microsoftcomments@doj.ca.gov@inetgw

MTC-00014849

From: joe3@wt6.usdoj.gov@inetgw

To: Microsoft ATR

Date: 1/23/02 3:34am

Subject: Microsoft Settlement

Dear Renata Hesse:

I am writing to strongly protest the Proposed Final Judgement in the Microsoft antitrust suit. As written, it fails to prohibit significantly anti-competitive practices of which Microsoft has been proven guilty.

As an example of how I, as a consumer, am directly harmed by Microsoft's anti-competitive practices, and how these practices are not restrained by the Proposed Final Judgement, I offer the following fact: I do not use Windows. I choose, instead, to use a competing operating system, Linux, that also uses the popular x86 hardware platform on which Microsoft's Windows operating system was found to have a monopoly. I have no interest in purchasing a computer with Windows installed; instead, I would rather purchase a computer with Linux, and only Linux, installed. I do not want to pay for what I will not use. And yet, according to the Proposed Final Judgement, if the OEM with whom I wish to do business tries to sell me such a computer, Microsoft is fully entitled to retaliate against that OEM. Section III.A.2 prohibits retaliation against an OEM for selling computers that (a) have both Windows and another OS installed, or (b) "will boot with more than one Operating System", but does not prohibit retaliation for selling a computer that sells a computer with a single, non-Windows OS installed. Microsoft can raise the prices on every copy of Windows the OEM does install, until the OEM is effectively paying the costs of installing Windows on every machine they sell, whether or not Windows is actually installed! (In effect, this grants Microsoft permission to resume selling the per-processor licenses that were expressly prohibited by the 1994 consent decree in Microsoft's earlier antitrust case.) Far from inhibiting Microsoft's abuse of its monopoly position, the Proposed Final Judgement allows Microsoft to punish OEMs that attempt to provide their customers a choice between Windows and its competitors! Even if an OEM should choose for any reason choose to still offer both Windows computers and non-Windows computers, they would have a financial penalty imposed upon them which they would have no choice but to pass on to the consumer.

With loopholes of this magnitude in the proposed settlement, I do not feel that it adequately represents my interests as a consumer or encourages free market competition.

Sincerely,

Joseph Crowley III

1126 East Street

Dedham, MA 02026

MTC-00014850

From: Ty Norton

To: Microsoft ATR

Date: 1/23/02 3:39am

Subject: Microsoft Anti-Trust

Microsoft cannot be allowed to continually stifle competition in the computer arena. They have already done so without much effort simply by releasing new applications as the default in their operating system; thus, squelching the competition to a meager level.

The most notable example of this is Netscape. They continue to destroy creative and exciting enterprises by releasing competing products for free, and as the default with their Windows operating system brand name. Examples of this are Windows Media Player vs Real Networks, or MSN Instant Messenger vs AOL's AIM or AOL's ICQ. Not to mention the obvious and present security concerns regarding Passport and it's licensing agreement.

I've done my best to avoid their monopolistic practices as best I can, I use Linux. I still find myself frustrated with the amount of effort they have put into making life in the IT profession a living nightmare, especially for a Network Admin.

I fear the day they will dominate web services with their .NET strategy, for that will be the end of all competition if adopted.

Tyler Norton

24323 NE 10th

Sammamish, WA 98074

Sincere Regards, —

Ty Norton √ ty@norton.to

UNIX Network Consultant

MTC-00014851

From: ToeNee21@aol.com@inetgw

To: Microsoft ATR

Date: 1/23/02 3:37am

Subject: Microsoft Settlement.

Dear Judge,

I feel we live in a nation that has succeeded by entrepreneurs and capitalists who make good on their opportunities and succeed in whatever endeavors they pursue. I ask that you allow Microsoft to continue with their monopoly and not get in the way of capitalism itself. Thank you for your consideration.

T. Souza

(213) 748-7866

CC:microsoftcomments@doj.ca.gov@inetgw

MTC-00014852

From: Rick Stockton

To: Microsoft ATR

Date: 1/23/02 3:48am

Subject: Microsoft Settlement

Due to the fact that the United States Department Of Justice (DOJ) has published an incorrect address for E-Mail comments at least once, I request that the DOJ send one (or more) return E-Mail replies to me containing (1) confirmation that my E-Mail has been properly received; (2) the responses to all of my comments as required by the Tunney Act; and (3) the date on which my comments and their responses have been published in the Federal Register.

Thank you.

Richard S Stockton, U.S. Citizen

1537 Berne Rd NE

Fridley, FIN 55421

EMail: rickstockton@acer-access.com

I object to numerous inadequacies in the Revised Proposed Final Judgement, which, among other failures, provides insufficient relief for injuries suffered by computer buyers and the general public at the hands of Microsoft. As per the Tunney Act, I am providing comments regarding provisions which are present in the document, but are either (a) too unclear; (b) too incomplete; (c) riddled with "loopholes" to benefit the guilty defendant (at the expense of the already victimized Plaintiffs and the consumers they represent); or (d) inadequate from a procedural perspective. These provisions are therefore inadequate to prevent Microsoft from abusing its monopoly power again in the future, and/or inadequate to provide a sufficient remedy for Microsoft's past illegal behavior. My comments also deal with inadequacies of omission (areas in which additional provisions are needed, but the Revised Proposed Final Judgement provides nothing).

I hope that my comments will assist the DOJ in arriving at a proposal which is more fair, effective and reasonable. I would like your to pay particular note to my Third Objection, which provides a very clear and reasonable argument for requiring Microsoft to offer versions of Windows Operating Systems without unwanted "Microsoft Middleware", at reduced prices, to both OEMs and Retail Customers. Retail customers have been victimized with enormously inflated costs via Microsoft's past abuses, but the current Revised Proposed Final Judgement provides no remedy for them.

If I may answer any questions regarding these comments, please feel free to contact me via EMail.

First Objection from Richard Stockton, regarding "Prohibited Conduct" Part 'A':

The second of 3 numbered items prohibits Microsoft from retaliating against an OEM for "shipping a Personal Computer that (a) includes both a Windows Operating System Product and a non-Microsoft Operating System, or (b) will boot with more than one Operating System;" This provision is worded to ALLOW Microsoft retaliation against any OEM who ships Personal Computers with (c) a single non-Microsoft Operating System; or (d) no OEM-installed Operating System at all. In order to be protected from retaliation, the OEM is therefore required to load up all such Personal Computers with multiple bootable Operating Systems. More disk space is consumed, user documentation is made more complex; support costs are raised; and systems design/integration work by the OEM is vastly increased.

The OEM and their customers are both forced to pay for the installation of at least one, and perhaps two, undesired Operating Systems in every Personal Computer. Thus, this provision serves to PROTECT Microsoft's ill-gotten Operating System monopoly by imposing large, unfair, and totally unwanted costs on the OEMs (and purchasers) of non-Windows computers. In order to provide adequate remedial value to victimized OEMs,

this provision needs to be rewritten to include computers in my categories (c) and (d) (as described in the preceding paragraph).

Second Objection from Richard Stockton, also regarding "Prohibited Conduct" Part 'A': With regard to the requirement for Microsoft providing written notice of reasons and 30 days' notice before terminating a Covered OEM's license, the Proposed Judgement says: "Notwithstanding the foregoing, Microsoft shall have no obligation to provide such a termination notice and opportunity to cure to any Covered OEM that has received two or more such notices during the term of its Windows Operating System Product license."

After Microsoft has issued two termination notices, it appears that a third notice is not required (even if the reasons provided in the first two notices were invalid, unfair, or "cured"). The definition of a "Covered OEM" also includes only the 20 largest distributors of Windows Operating System licenses in the entire world. These are large firms, which are likely to need much more than 30 days notice to revise their product lines or distribution channel relationships. This sentence should be removed (Microsoft should be required to give reasons and reasonable notice for such terminations an unlimited number of times), and the minimum length of time from receipt of the notice of reasons until termination of the agreement should not be less than 90 days.

Third Objection from Richard Stockton, regarding many sections within "Prohibited Conduct" Although the Proposed Final Judgement clearly allows OEM's and End Users to remove and/or replace Microsoft "Middleware" Products, nowhere does it require Microsoft to offer a 'stripped-down' versions of Windows Operating Systems at reduced prices. The 'Competitive Impact Statement' states that the DOJ seriously considered a requirement that Microsoft "manufacture and distribute the Windows Operating System without any Microsoft Middleware or corresponding functionality included", but provides no reason why such a requirement was not included.

Therefore, Windows Operating Systems customers (OEM and retail) will be forced to continue subsidizing the Microsoft tactic of destroying competition with Windows-Subsidized "free" Middleware Products, such as Internet Explorer and Windows Media Player. Microsoft has claimed that the dollar value of Internet Explorer source code is in the billions. What ISV can possibly develop a competitive product when Microsoft remains allowed to "cut of their air supply" by shipping "free" Middleware within overpriced Windows Operating Systems? And, why would an OEM go the trouble and expense of working with an ISV to distribute a competitive "Middleware Product" while the Microsoft Product remains effectively "free"? The Proposed Final Judgement should be changed to specify a reduced price schedule, to benefit all OEMs and Retail customers, for alternate versions of the Windows Operating System which exclude undesired Microsoft "Middleware" Product(s). The current Revised Proposed Final Judgement fails miserably in addressing Microsoft's illegal

use of the Operating System monopoly to subsidize the destruction of competitors in Application Middleware markets by "cutting off their air supply"

Fourth Objection from Richard Stockton, regarding failure to require documentation of file formats.

The Proposed Final Judgement presents the disclosure of "APIs" and "layers of Communications Protocols" as remedial measures, but fails to include any requirement to document file formats. Any ISV which might attempt to compete in the office document generation marketplace (i.e., word processing, spreadsheets, etc.) must be able to import and export "Microsoft office" files. The Court found that Microsoft established and maintained a monopoly in this Application Software market by utilizing its Operating System monopoly to destroy competition from Lotus SmartSuite. Many experts within the computer industry consider Microsoft's ill-gotten Office Suite monopoly to be more dominant than its Operating System monopoly. To provide a remedy for this past abuse, and assist in reconstruction of a competitive marketplace, the content formatting specifications of all such data files must be made available to any ISV who has an interest in developing Software which reads or writes "Microsoft office" data files, "Windows Media Player" data files, and any other data files utilized by future releases of Microsoft "Middleware" and "Office" Products.

Fifth Objection from Richard Stockton, regarding the presence of a "loophole" allowing Microsoft to withhold vital APIs, documentation, and Communications Protocols. The paragraph J-1 within section III provides loopholes which make all preceding and following "requirements" to release APIs and related documentation almost totally ineffective. Nearly every "Middleware" Communications Protocol executes within a framework of some authentication and/or authorization criteria, and many Windows APIs implement security features. For example, Windows XP invites its installers to register via Passport. An argument can be made that Passport constitutes a "particular installation or group of installations", and therefore is excluded. The 'Competitive Impact Statement' claims that "this is a narrow exception, limited to specific end-user implementations" but this text does not appear in the the Revised Proposed Final Judgement.

The clause (a) of this sentence/paragraph provides a loophole, in advance, preventing third party access to vast quantities of information which must be available in order to remedy past illegal behavior of the defendant. The entire clause should be removed and replaced by a section which allows Microsoft to request a waiver from the TC for each specific area of "sensitive" security information which Microsoft desires to conceal. Unless granted a waiver from the TC, Microsoft should be required to release all requested information on a timely basis unless directed not to do so by a government agency as per clause (b).

Sixth Objection from Richard Stockton, regarding the presence of two "loopholes" allowing Microsoft to condition the licenses

of APIs, documentation, and Communications Protocols with unreasonable terms.

The paragraph J-2 within section III places expensive, burdensome, and inappropriate requirements on the Software Development entities for whom the Revised Proposed Final Judgement supposedly attempts to provided remedial relief from past Microsoft abuses. As with my Fifth Objection, the 'Competitive Impact Statement', makes a claim that these burdens are limited to only "the narrowest possible scope". But nearly every "Middleware" Communications Protocol executes within a framework of some authentication and/or authorization criteria, and no such "narrowing" text is present in the Revised Proposed Final Judgement.

Background for Loophole #1: The Findings and evidence in the case, as well as other widely distributed Microsoft documents, indicate that Microsoft considers GNU-Linux to be a serious threat (and perhaps the only remaining viable threat) to its Operating System monopoly. Linux is an Open-Source software project, not controlled by any business entity. Similarly, many of the viable competitors to Internet Explorer depend on the Open-Source Mozilla project for some (and in the specific case of Netscape, nearly all) of the code within their Products.

Loophole #1: In spite of this well-understood situation, clause (c) of the Revised Proposed Final Judgement requires such entities to meet ". . . reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business". Since these entities are NOT businesses, it seems very unlikely that they would meet "objective standards established by Microsoft". In addition, it is unsound to allow the GUILTY DEFENDANT to establishes the standards by which the already victimized plaintiffs are "judged" to qualify for the remedy. This clause should be replaced by a clause which allows Microsoft to request that the TC disqualify a specific Software Development entity from receiving the information for specific reasons provided by Microsoft.

Loophole #2: An even more serious problem exists within clause (d), requiring that the Software Development entity submits its Software Programs to a Microsoft-approved third party test organization "to test for and ensure verification with Microsoft specifications of use of the API or interface. . . ". As a former professional Software Test Analyst, I can assure you that the amount of testing which can be created to fully verify the functionality of a complex API is nearly unlimited. In the Software business, effective test planning and execution must strike a balance between finding significant errors and completing the testing at within reasonable constraints of time and cost. (A vast majority of leading Professors of Computer Science throughout the World would agree with these statements). Microsoft is given a "loophole" to inflict enormous financial costs (and perhaps delays in Software Release) on competing Software Development entities by requiring an amount of testing which is apparently defined by a Microsoft-approved third party. It appears that such a third party

is invited to create an arbitrarily comprehensive and lengthy test plan per Microsoft specifications, but that all of resulting test costs are borne by the ISV. This clause should be removed and replaced by clause which allows Microsoft to perform such testing at its own expense (not the ISV's).

Seventh Objection from Richard Stockton, regarding Section IV.D.9.

The scope of this confidentiality agreement appears to be in conflict with IV.D.4.a: Since the latter provision invites third parties to submit complaints concerning Microsoft's compliance, this provision should be changed to allow for the TC to respond to the complaining third party.

Eighth Objection from Richard Stockton, regarding provisions in Section IV.D.4 ("Submissions to the TC").

Lettered item "c" fails to provide any mechanism for assuring that the TC's "proposal for cure" of a meritorious complaint is fully (or even partly) followed by Microsoft. This provision should be expanded to (1) require timely and complete compliance by Microsoft with any "proposal for cure" proposed by the TC; and (2) to provide for appropriate punishment, via Court Action, of Microsoft Corporation and/or its Officers for failure to comply with any such "proposal for cure". This leads to my objection to the provision in lettered item "d". The Revised Proposed Final Judgement, after requiring the TC to investigate, analyze, and specify proposals to cure meritorious complaints, specifies that no "work product" may be admitted in any enforcement proceeding before the Court. The TC is required by other Sections to carefully investigate, assess, and resolve any complaints regarding Microsoft behavior. But, the Revised Proposed Final Judgement proposes to remove the possibility of any Court hearing or seeing large amounts of relevant and significant evidence regarding future illegal behavior by Microsoft. By eliminating the use of evidence, testimony, and depositions from the TC in any Court, it appears that the DOJ proposes to put Microsoft (the guilty defendant) beyond the reach of the law.

Ninth Objection from Richard Stockton, regarding the Termination of the Final Judgement. Microsoft has been found guilty (of violating Laws and previous Court Consent Decrees). Many of the abuses which this document is the proposed remedy occurred more than 5 years ago. But Microsoft continues to engage in behavior which appears to violate laws: During the current comment period, in which Microsoft might be expected to be particularly careful to behave as a "good corporate citizen", the Corporation failed to disclose meeting with aides of the Senate Judiciary Committee to discuss terms of the settlement before a December congressional hearing on the case. Even at this sensitive time, Microsoft behaves as if the Tunney Act doesn't apply to them.

This guilty defendant, with well documented patterns of recurring illegal and abusive behavior, does not deserve such generous expiration terms. Expiration of the Final Judgement should be either (a) at least 10 years into the future; or (b) at the pleasure

of the all of the Plaintiffs, in unanimous agreement.

Tenth Objection from Richard Stockton, regarding inclusion of a requirement that Software be "Trademarked" in definitions of "Microsoft Middleware" and "Microsoft Middleware Product". Definitions J.2 ("Microsoft Middleware") and K. ("Microsoft Middleware Product") require that Software Code meet all of the listed conditions in order to be treated as an instance of the defined software classification. The requirements for code to be Trademarked (J.2 and K.2.b.iii) constitute an inappropriate "loophole" for Microsoft to claim that vast amounts of software is neither "Middleware" nor "Middleware Product", and thereby not covered by any terms within the Proposed Final Judgement. Both of these conditions (J.2 and K.2.b.iii) should be removed.

Eleventh Objection from Richard Stockton, regarding the exclusion of "Windows Explorer" and "Network Neighborhood" from the definitions of J. "Microsoft Middleware" and K. "Microsoft Middleware Product".

Assuring ISV access to Microsoft Networking (as provided by "Windows Explorer", "Network Neighborhood", and their descendants) is an important component in providing a remedy for past Microsoft abuses in the Operating System competitive environment. Microsoft is currently in an ill-gotten monopoly position which allows it to destroy any third party software which attempts to take part within a network of Windows PCs and Servers (such as SAMBA), by creating new proprietary protocols. The functionality of Client/Server access (and peer-to-peer access) for file sharing should be included within K.2.a.

Twelfth Objection from Richard Stockton, regarding the definition both M. "Non-Microsoft Middleware" and N. "Non-Microsoft Middleware Product" in terms of exposing functionality via published APIs and porting to non-Microsoft Operating Systems.

The functionality of Microsoft Middleware Products such as Windows Media Player have very little to do with exposing "... a range of functionality to ISVs through published APIs", and there is no justification for requiring Non-Microsoft Products to do so. The definition of "Non-Microsoft Middleware" should be changed to include any Non-Microsoft software which (a) provides similar functionality to any of the Microsoft Middleware Products listed definition K.1; or (b) provides functionality analogous to (but not limited to) the more general list of general software product categories in K.2.a, as modified by my Eleventh Objection (above) to also include networking middleware.

Thirteenth Objection from Richard Stockton, regarding the "million-copies within the previous year" requirement within definition N. "Non-Microsoft Middleware Product". This distribution volume requirement is excessively large, and should be reduced to 100,000 copies distributed within the previous year. Also, since other items (such as definition C. "Covered OEMs") are worldwide, this requirement should be modified to include

software distributions in other countries towards the count of 100,000 copies.

Fourteenth Objection from Richard Stockton, regarding the definition of "Windows Operating System Product".

The final sentence in definition U, "The software code that comprises a Windows Operating System Product shall be determined by Microsoft at its sole discretion" should be removed. With this strongly worded "loophole" present, Microsoft will be able to "bundle" code which provides middleware functionality within the 'Operating System', solely for preventing ISV access to necessary API and Communications Protocol documentation. Without this sentence, Microsoft would still be able to "bundle" code of their choice into the Operating System Product, but ISVs would be provided with at least some protection from abuse of this privilege via the complaint submission and resolution procedures (i.e., Microsoft's discretionary choices would be subject to review by the TC and the Court if complaints are submitted).

MTC-00014853

From: Ty Norton
To: Microsoft ATR
Date: 1/23/02 3:52am
Subject: Microsoft Settlement

Microsoft cannot be allowed to continually stifle competition in the computer arena. They have already done so without much effort simply by releasing new applications as the default in their operating system; thus, squelching the competition to a meager level. The most notable example of this is Netscape. They continue to destroy creative and exciting enterprises by releasing competing products for free, and as the default with their Windows operating system brand name. Examples of this are Windows Media Player vs Real Networks, or MSN Instant Messenger vs AOL's AIM or AOL's ICQ. Not to mention the obvious and present security concerns regarding Passport and it's licensing agreement.

I've done my best to avoid their monopolistic practices as best I can, I use Linux. I still find myself frustrated with the amount of effort they have put into making life in the IT profession a living nightmare, especially for a Network Admin.

I fear the day they will dominate web services with their .NET strategy, for that will be the end of all competition if adopted.

Tyler Norton
24323 NE 10th
Sammamish, WA 98074
Ty Norton ty@norton.to
UNIX Network Consultant

MTC-00014854

From: Duane Mailing
To: Microsoft ATR
Date: 1/23/02 3:55am
Subject: Microsoft Settlement

My opinion may not count in your little consensus here (freedom should not be a popularity contest anyway) as I am from Canada, but I just wanted to point out that you people need to decide whether you want to live in the USA or China. In the USA, as it is supposed to be, achievement and effort are rewarded. In China ambitious people are

"criminals" who have to bribe officials (people like yourselves) to look the other way so they can do business. Monopolies are strictly products of government intervention (ever heard of the post office) not free markets. The department of injustice needs to earn it's official title or get a new address ending in R.O.C.

Duane Mailing
Hamilton, Ontario, Canada

MTc-00014855

From: Nick Kearney

To: Microsoft ATR

Date: 1/23/02 4:15am

Subject: Microsoft antitrust settlement is bad for the consumers of the world this web site is also of interest to the trial <http://www.kegel.com/remedy/letter.html>

Now for the start of my statement of Why this is the worst deal for consumers and the competition.

Every deal I have seen as a consumer of Microsoft products since beginning my training as a computer tech has left me with this one nagging feeling stated in the topic. The Deal shows no signs of true punishment, no signs of giving up any of its undue monopoly power that they have.

The recent deal with the Schools "giving the operating systems to the school" putting a price tag of 1 billion dollars is a good example of antitrust actions in full swing, these questions should be asked and not ignored!!

Question #1 How does Microsoft giving the OS to the Schools in the other cases benefit competition which Microsoft has hurt and continues to hurt?

Question #2 How does "close source" operating system make competition possible when you offer your own Database, Spreadsheet, Presentation software, and your own personal closed source Compiler (C# is a compiler that makes binaries, aka products like Office XP Windows XP) for the microsoft operating system?

Question #3 How can any justice department person not take the very restrictive licenses and wording of the End User license agreement and not say they are attacking the competitors. EULA for the Microsoft operating system states plainly this about Java (Sun Microsystems cross platform computer language)

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Sun Microsystems, Inc. has contractually obligated Microsoft to make this disclaimer. then they strike out at the consumer

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This was just in my windows ME EULA Question #4 Now I may be a lawyer, but this is the Windows 95 / 98 / ME / CE / XP End user license agreements should also be examined for antitrust concerns I liken the wording to Ford not taking any liability in mechanical defects in workmanship for the Ford Explorer wilderness series tires that has killed 76 people. So far the windows Operating system has to it's credit Disabling a Navy class destroyer. The destroyer had to be towed to port! Should they not be liable for that in the future?

Question #5 of all the settlement offers I still have to ask myself, Where is the real punishment, the Punishment that does make competition possible? If Microsoft offered to install Imacs in the schools Microsoft wins again Bill gates has invested 100 million dollars into apple computers upon the return of Steve Jobs as then interim president. Microsoft is the only one who makes Macintosh Office 2001 software that is on the shelves as well. These actions as they stand alone may not amount to an antitrust but when you control the compiler, the office software, the database engine, the 3d display patent they recently bought off of SGI, and lock out Corel (Another 100 million dollar Microsoft investment which forced Corel linux off the shelves and forced them to support the Microsoft .net frame work), Netscape (Microsoft gave away their browser and took profits right out of Netscape's browser markets), Java (microsoft developed it's own incompatible version of java middle ware to stop java from gaining ground), Borland (who makes a C compiler), and GNU (Who makes a Free C compiler) unless they "get there programs signed device drivers signed" which makes it difficult for competition to thrive and Innovate. The true meaning of the word innovate is what Microsoft is trying to control by giving them what they seek you play into their hands. So when applying the Law of the land I suggest you not forget you are representing the consumers of America as well, not just industries Microsoft has harmed, but We the people. I also hope that you can and do see the potential damage Microsoft has done and will do in the future.

Thank you for your reading!

Sincerely;

Nick Kearney

613 Elliott Avenue

New Castle IN 47362-4881 PS Yes it is long winded but it is more direct than Bill Gates on tape questioning.

MTC-00014856

From: Zubin Dittia

To: Microsoft ATR

Date: 1/23/02 4:58am

Subject: Microsoft Settlement

January 23, 2002

Honorable Judge Colleen Kollar-Kotelly
United States District Court for the District of
Columbia

333 Constitution Avenue, NW

Washington, DC 20001

Your Honor:

I am a co-founder and the Chief Scientist at a small silicon valley startup company developing software infrastructure for the Internet. I have kept close track of the

progress in the Microsoft antitrust case, and would like to take this opportunity to express my views. I would like to emphasize that these are my own views and do not reflect those of my company or any of its officers.

As an industry participant, I feel that the Microsoft monopoly has had a devastating effect on competition and on innovation. Two aspects of this are especially disturbing to me:

1. By applying pressure on PC hardware vendors through exclusivity contracts, threats of increased pricing for Windows products, and other coercive means, Microsoft has successfully been able to keep vendors from selling dual-boot PCs (i.e., PCs which have multiple operating systems installed, and which provide users an option of which operating system to run when the system first comes up). A case in point is Be, Inc., which was recently acquired by Palm. Be's product was a very simple and fast operating system which did not have very many applications, but which was very quick to boot at power on. Their product was designed to be installed alongside Windows in PCs. When the PC was powered up, the user was to be given a choice of whether to run Windows or Be. Thus, if the user wanted only to quickly check email or browse the web, there would be no need to wait a long time for Windows to boot up. Thanks to Microsoft pressure though, the hardware vendors which had been excited about providing such a choice to users had to back off from making any deals with Be, Inc. No one wants to go crosswise with a monopolist when you depend on them for most of your revenues. The end result was that users cannot enjoy a system that starts up in an instant—the losers were the consumers.

Another case in point is the free operating system Linux. It does not cost PC hardware vendors anything to run this OS on the PCs they sell, beyond the very low cost of installation. Thus, one would expect vendors to have rushed to install Linux in addition to Windows on their PCs (in a dual-boot configuration), as an additional "feature" that would help them differentiate their products. We haven't seen this happen, except with very small PC vendors that sell their PCs at much higher prices. Again, this is either because of direct coercion, or from fear of retaliation from a company on whom the vendors are completely reliant for their continued existence.

2. Perhaps even more damaging, but hidden from public view and not immediately evident, is the effect the monopoly has on innovation and on progress in the technology sector. Investors are fearful of investing in any project that appears to encroach on Microsoft's turf, and as a result much progress and many improvements in computer technology that could have been may never reach us. The resulting damage to the economy, and to the people, far outweighs the direct damage resulting from over-priced Microsoft products.

I urge the court to consider these points when it makes its decision on this very important case. I for one believe that the proposed settlement hammered out between the DOJ and Microsoft has been politically influenced, and is not in the public interest.

It will not help restore competition to the marketplace, and it does not do anything to punish Microsoft for its earlier misdeeds. I urge the court to reject that settlement as inadequate, and opt for a harsher remedy. With respect to point number 1 above, one remedy that I believe would help restore some modicum of competition would be to require Microsoft to adopt uniform and publicly known pricing for its products, to make their vendor contracts public knowledge, and to forbid them from discriminating on pricing or any other basis against hardware vendors that support competing products.

Thank you for your time. I have great trust in the American Legal System, and I'm sure that my trust will again be upheld in this case.

Respectfully yours,

Zubin D. Dittia

Chief Scientist

Jibe Networks, Inc.

3 West 3th Ave., Suite 17

San Mateo, CA 94403.

MTC-00014857

From: Noel deSouza

To: Microsoft ATR

Date: 1/23/02 5:17am

Subject: Microsoft Settlement

I wonder why no one bothers about the Apache server? it's distributed for free with linux and competes with Internet Information server . . . Media player, Disk Defrag, netmeeting etc etc are also bundled with Windows . . . does anyone care??? maybe people who really build good software don't have to worry about free stuff.

Noel deSouza

MTC-00014858

From: Whitehouse, Elaine

To: "Microsoft.atr(a)usdoj.gov"

Date: 1/23/02 5:28am

Subject: MICROSOFT SETTLEMENT

As a PC user, I feel that the witchhunt that you have going on with Microsoft needs to be ended. Since I am a PC user, I do not feel that any harm has come to me by way of Microsoft. You are putting a burden on a company who has been able to use its abilities to move forward in the field. This is the entire concept of marketing what you do best. If the competitors of Microsoft can't do as well, that is not the fault of Microsoft. The best company will keep moving into first place. Why is the government trying to put their hands into this? Please leave Microsoft alone!

Elaine Whitehouse

CC:'aoctp(a)aoctp.org'

MTC-00014859

From: Dennis Daniels

To: Microsoft ATR

Date: 1/23/02 5:43am

Subject: Microsoft Settlement

I think that the proposed settlement is a bad idea. I live and work in France but I am a US citizen. Microsoft is no friend to US international business interests and the proposed settlement does nothing to make the US more competitive in international markets.

Thank you

Dennis Daniels

MTC-00014860

From: rinnan@mac.com@inetgw
 To: Microsoft ATR
 Date: 1/23/02 5:44am
 Subject: Microsoft Settlement

Hello my name is Erik Hill. I have been watching the Microsoft trial with interest. I am a computer programmer, and my livelihood is directly affected by having an abusive monopolist in the field. I feel that in order for any market to thrive, including software, it must be free of the kind of monopoly that Microsoft has proven itself to be. I am dissatisfied with the settlement that has been proposed because it is simply too weak to solve the problem. Simply, it is a band-aid, or less, and this problem requires a far more decisive action.

Erik Hill
 Software Engineer
 Honolulu, Hawai'i

MTC-00014861

From: Allen Ashley
 To: Microsoft ATR
 Date: 1/23/02 6:54am
 Subject: Microsoft Settlement

I oppose the proposed settlement of the Microsoft anticompetitive lawsuit because I believe that settlement provides neither an adequate penalty for previous unlawful actions nor an assurance that such actions will not continue.

Microsoft will always be able to leverage its operating system dominance into an uncompetitive force in the applications software area. An adequate remedy for the illegal historical practices of Microsoft must either remove their dominance in the operating system, or disable their leverage in applications development.

Much of the ease-of-use features of the Microsoft operating systems come not from Microsoft, but from hardware vendors who must write driver software compatible with Microsoft. There is currently no motivation for these vendors to write drivers for alternative, less used operating systems.

Thank you for this opportunity to present my opposition to the proposed settlement.

My name is Allen Ashley (ashley@alumni.caltech.edu)

MTC-00014862

From: Craig Christophel
 To: Microsoft ATR
 Date: 1/23/02 5:44am
 Subject: Microsoft Settlement

After reading many articles and the settlement, I believe that there are still far too many loopholes that Microsoft will be able to use to circumvent the intent of the Court case.

Craig.

MTC-00014863

From: J. Paul Reed
 To: Microsoft ATR
 Date: 1/23/02 5:51am
 Subject: Microsoft Settlement—A step in the wrong direction

You probably have a lot of these, so I won't write much: I just want to say I think the proposed settlement is pathetic. It doesn't protect consumers, it doesn't protect competition in the market, and it allows

Microsoft to continue the shady and underhanded business practices that made them the monopoly a United States court claimed they are.

The technology sector moves quickly; the remedy provided by the settlement is already moot; the "browser wars" that started it all are over. Microsoft has cemented their next foray into new markets with .NET and Windows XP. The only remedy that will even BEGIN to bring competition back to the market is to force Microsoft to open up, COMPLETELY, their source code so competing products may be made compatible with Microsoft-created "standards." Forget trying to break them up (they'll just work together as they always have), and forget trying to have a panel oversee them with sanctions that, if broken, would require the same (useless) sanctions for a longer period of time.

Don't let all your hard work (and our hard-earned tax dollars) to go waste.

Thanks for your consideration.

Later,
 Paul

J. Paul Reed preed@sigkill.com ✓
 web.sigkill.com/preed

What's the point in being nuts if you can't have a little fun?—John Nash, Jr., A Beautiful Mind

MTC-00014864

From: Osric Wilkinson
 To: Microsoft ATR
 Date: 1/23/02 5:52am
 Subject: Microsoft Settlement

Hi,

I am not a US citizen.

I do think that the proposed settlement in the Microsoft Anti Trust case is not sufficient.

I would like to see Microsoft forced to release their source code to the public, so all developers could be on an equal footing (including non-us developers).

Thanks for reading.

Osric Wilkinson

"And I think that there's no question but that if someone looked down from Mars on the United States for the last three days, they would conclude that America is what's wrong with the world." Donald Rumsfeld, US SecDef

MTC-00014865

From: Dan M
 To: Microsoft ATR
 Date: 1/23/02 5:54am
 Subject: Microsoft Settlement

I would just like to say that I have read about the proposed settlement, and I am not in favor of it in its current state. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors, yet unfavorable to Microsoft. I hope the irony of using MS Hotmail to send this does not elude you.

Thank you,
 Dan McCartney
 4306C Orion Dr
 Kapolei, HI 96707

MTC-00014866

From: Jeff Kramer
 To: Microsoft ATR

Date: 1/23/02 5:54am
 Subject: Microsoft Settlement

I strongly disagree with the proposed settlement in the Microsoft Antitrust case. Handing a company that has repeatedly broken the laws of this country yet another market segment as, of all things, punishment for breaking the laws of this country, is a truly terrible thing.

Jeff Kramer
 jeffk@well.com

MTC-00014867

From: kosh
 To: Microsoft ATR
 Date: 1/23/02 5:56am
 Subject: Microsoft Settlement

I disagree with the microsoft settlement that has been proposed since overall I feel it won't do any good long term. I do not think they need to be broken up and financial penalties are not the solution. Short term no solution will really work so what I want is a more permanent solution.

(1) All formats used by microsoft should be completely documented at least 3 months before being used in any application. This includes extensions to the html spec, the word document format, and the smb file sharing format.

(2) They should be required to implement the specification(s) in areas where their products work in addition to their own systems. In the case of web browsers they should be required to implement http 1.0/1.1 completely and xhtml 1.0 to the letter of the spec.

For example their support of much of http 1.0 and http 1.1 is shoddy at best and that makes it very hard to work with Internet Explorer as a web browser. All versions of IE so far have a but with the Content-Type header especially when working with the Content-Disposition header however so far as I have been able to find out so far it is the only browser that has this bug. This makes the browser very hard to work with server side. It seems in many cases you can either work with Microsoft IE or you can work with the rest of the world. Unfortunately because of their monopoly that puts developers in a very bad position since if you choose the non microsoft option most people can then no longer use the web application. Lynx, Links, Konqueror, Opera, Mozilla, Netscape 4.x, and Netscape 6.x all get those parts of the specification correct.

(3) All API information in their products should be fully documented and available for free by download in an open format like html. Microsoft maintains too much of its monopoly power by using hidden APIs and if they were required to disclose all of that then it would get rid of that advantage.

None of these items would hurt microsoft in the next year or maybe even the next two years however that is not the point of the penalty. The point is to restore the balance of the system and to help consumers. Long term this method will give consumers more choice by restoring competition to the market. In the end that is what I think the real purpose of antitrust is. Not to penalize the violators but to help the consumers by restoring the system.

William Heymann

Boulder, Colorado
Web Media Engineering <http://webme-eng.com>

MTC-00014868

From: Kurt
To: Microsoft ATR
Date: 1/23/02 4:54am
Subject: Microsoft Settlement

It is truly sad to see that after all the damage Microsoft has done to the computer industry that this administration wants to not only let them off, by not breaking up or punishing Microsoft, but will solidify their stranglehold. The settlement needs to make sure affirmative action FOR linux and against microsoft takes place.

Please be thoughtful and honest. Break up Microsoft
Thank You
Kurt Bihler
411 Reedwood dr
Joliet, IL 60187

MTC-00014869

From: John Scothern
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 6:00am
Subject: Microsoft Settlement

Dear Sir,
I think the proposed settlement is a bad idea.

It does not go far enough in punishing Microsoft for their illegal actions, and does not prevent Microsoft from keeping their illegally gained monopoly.

Regards,
John Scothern

MTC-00014870

From: Bill Abbas
To: Microsoft ATR
Date: 1/23/02 6:00am
Subject: Microsoft Settlement

As a computer software professional, I believe that the DOJ proposed final judgement with Microsoft is a bad idea which does not adequately protect the rest of the technology industry from Microsoft's predatory practices.

Bill Abbas

MTC-00014871

From: David Laundra
To: Microsoft ATR
Date: 1/23/02 6:03am
Subject: Microsoft Settlement

I have personally observed over the years, how Microsoft has destroyed its competitors in the computing field. There used to be so many different companies out there; each offering their vision of what makes a good solution to a particular problem. Now, there are only a few foolish enough to take on the Microsoft giant.

Over and over again we have seen MS take notice of a new technology and then either buy it or reverse engineer it and then give it away. In either case the competition is gone and MS strengthens its stranglehold on the industry.

Do not let them continue without strict oversight. MS has done so much damage already, don't let it continue.

Dlaundra@concentric.net

MTC-00014872

From: matt
To: Microsoft ATR
Date: 1/23/02 6:02am
Subject: Microsoft Settlement

I oppose the proposed final judgment because it's too vague, contains loopholes that allow the monopoly to continue and does not require Microsoft to release documentation about the format of Microsoft Office documents.

I don't work for a microsoft competitor.
mks@pobox.com

MTC-00014873

From: Richard Lenoco
To: Microsoft ATR
Date: 1/23/02 6:05am
Subject: Microsoft Settlement

Stop the Settlement. It unfairly works towards MS advantage. This is especially true in the case of giving windows and other software away to education. This will permanently and financially hurt those companies who have their strengths in the education market. Isn't this what the suit was supposed to stop.

MS should be paying a higher price and should be broken up into software and OS businesses.

Richard Lenoco

MTC-00014876

From: Jonathan Walther
To: Microsoft ATR
Date: 1/23/02 6:07am
Subject: Microsoft Settlement

The current proposed Microsoft settlement is extremely bad and harmful. Much more sweeping sanctions need to be made.

Specifically, the secret agreements Microsoft has with hardware manufacturers that prevent any competitors from getting a foothold in the market with alternative software needs to be dealt with, or all other remedies will be toothless.

JUST SAY NO!

Jonathan

MTC-00014877

From: David Bachleda
To: Microsoft Settlement
U.S. Department of Justice
Date: 1/23/02 4:35am
Subject: Microsoft Settlement
David Bachleda
3424 Larks Lake Rd.
Pellston, MI 49769
January 23, 2002
Microsoft Settlement
U.S. Department of Justice

Dear Microsoft Settlement

U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into

the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

David Bachleda

MTC-00014878

From: El Jeffo
To: Microsoft ATR
Date: 1/24/02 12:24am
Subject: Microsoft Settlement

I feel that there should be more careful review and rewording of the settlement. This is not something we want in the long run as is. Microsoft has done a fine job of creating loopholes.

Don't let the world down, work a little longer to reach a better settlement.
Jeff

MTC-00014879

From: Graham Spencer
To: Microsoft ATR
Date: 1/23/02 6:08am
Subject: Microsoft Settlement

The proposed settlement is not tough enough on Microsoft. The settlement has a number of known loopholes which will render it as ineffective as the previous attempts to curb Microsoft's power.

Microsoft has already shown a willingness to use its monopoly power to destroy competing non-profit projects (Linux, Samba, Kerberos, etc.; see <http://news.cnet.com/news/0-1003-200-4833927.html> where a Microsoft executive calls free software an "intellectual property destroyer"), yet the proposed settlement offers no protection for future non-profit software.

At the very least, the settlement should penalize Microsoft for the conduct that the court found illegal.

Please consider a settlement that is less favorable to Microsoft. Thanks for listening.

—g

MTC-00014880

From: Zach Pincus
To: Microsoft ATR
Date: 1/23/02 6:10am
Subject: Microsoft Settlement

I wholeheartedly oppose the Microsoft antitrust settlement proposed by the DOJ and Microsoft.

The problems identified above with the Proposed Final Judgment can be summarized as follows:

*The PFJ doesn't take into account Windows-compatible competing operating systems

*Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even

contributes to this part of the Applications Barrier to Entry.

*The PFJ Contains Misleading and Overly Narrow Definitions and Provisions

*The PFJ supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered.

*The PFJ supposedly allows users to replace Microsoft Middleware with competing middleware, but it defines "Microsoft Middleware" so narrowly that the next version of Windows might not be covered at all.

*The PFJ allows users to replace Microsoft Java with a competitor's product—but Microsoft is replacing Java with .NET. The PFJ should therefore allow users to replace Microsoft.NET with competing middleware.

*The PFJ supposedly applies to "Windows", but it defines that term so narrowly that it doesn't cover Windows XP Tablet PC Edition, Windows CE, Pocket PC, or the X-Box—operating systems that all use the Win32 API and are advertised as being "Windows Powered".

*The PFJ fails to require advance notice of technical requirements, allowing Microsoft to bypass all competing middleware simply by changing the requirements shortly before the deadline, and not informing ISVs.

*The PFJ requires Microsoft to release API documentation to ISVs so they can create compatible middleware—but only after the deadline for the ISVs to demonstrate that their middleware is compatible.

*The PFJ requires Microsoft to release API documentation—but prohibits competitors from using this documentation to help make their operating systems compatible with Windows.

*The PFJ does not require Microsoft to release documentation about the format of Microsoft Office documents.

*The PFJ does not require Microsoft to list which software patents protect the Windows APIs. This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users.

*The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft

*Microsoft currently uses restrictive licensing terms to keep Open Source apps from running on Windows.

*Microsoft currently uses restrictive licensing terms to keep Windows apps from running on competing operating systems.

*Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which could run a Microsoft operating system—even for computers running Linux. (Similar licenses to OEMs were once banned by the 1994 consent decree.)

*The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft

*Microsoft has in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems.

*The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs

*The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

*The PFJ allows Microsoft to discriminate against small OEMs—including regional "white box" OEMs which are historically the most willing to install competing operating systems—who ship competing software.

*The PFJ allows Microsoft to offer discounts on Windows (MDAs) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas.

MTC-00014881

From: Anthony Kilna
To: Microsoft ATR
Date: 1/23/02 6:12am
Subject: Microsoft

It is the opinion of myself and most of my colleagues that the Microsoft settlement as it currently stands is merely a slap on the wrist, and won't get anywhere in terms of actually stopping Microsoft's anti-competitive behavior.

What really needs to happen is the dissolution of the means by which Microsoft leverages its monopolies to elbow their way into other industries. The common Microsoft APIs must be forced to be public (and not through any expensive licensing either, MS's main competitors compete on service, not licensing), and file formats should be forced public (MS has long used file formats to keep a stranglehold on the office applications market). The only way I can see the file formats and APIs being opened in a way reasonable for competitors to use as well as MS itself is a break-up (which will level the playing field and remove the unfair MS advantage that they have been leveraging).

MTC-00014882

From: Chris Machemer
To: Microsoft ATR
Date: 1/23/02 6:13am
Subject: Microsoft Settlement

To whom it may concern,

One of my biggest concerns with the proposed settlement is the fact that there's no predetermined penalties for MS, should they violate the conditions of the settlement.

If they do step over the line, I expect another multi-year trial would be required before a penalty could be handed over. Any list of rules should definitely include the penalties, should those rules be violated.

Thank you for your time.

Chris Machemer
Sr Engineer—R&D Applications Development
Wyeth-Ayerst, Collegeville, PA

MTC-00014883

From: Christopher Lee Fleck
To: Microsoft ATR
Date: 1/23/02 6:09am
Subject: Microsoft Settlement

I am opposed to the Microsoft settlement in its current form because it does nothing to stop Microsoft's anti-competitive practices and because the current settlement does nothing but further solidify the monopoly Microsoft currently has.

Thank you,
Christopher Lee Fleck

MTC-00014884

From: Chuck Stuart
To: Microsoft ATR
Date: 1/23/02 6:15am
Subject: Microsoft Settlement Greetings.

I believe the proposed settlement with Microsoft in the recent anti-trust case to be profoundly flawed. Under the guise of punishment, the company will be providing substantial amounts of its software to educational institutions, flooding out whatever is already there or what they would normally have purchased or donated. Given that Microsoft already locks people into an upgrade cycle to maintain "compatibility" with previous applications and files, the settlement will increase the problem by opening additional markets to the company.

Chuck Stuart
2137 Belle Vernon Drive
Rochester Hills, MI 48309

MTC-00014885

From: Michael Lucas
To: Microsoft ATR
Date: 1/23/02 6:16am
Subject: Microsoft Settlement

Hello,

As a computer professional, I have a strong interest in the outcome of the Microsoft antitrust trial.

Microsoft has done an untold amount of damage with their unethical business practices. I strongly encourage the court to reject this settlement; it falls short in countless ways.

Thank you,

Michael Lucas
Michael Lucas
mwluccas@FreeBSD.org, mwluccas@BlackHelicopters.org

MTC-00014886

From: Scott Traynor
To: Microsoft ATR
Date: 1/23/02 6:17am
Subject: Microsoft Settlement

I think settling is a very bad idea. Having once worked for companies that used to compete with microsoft, it was not economically feasible to compete with a company that can use its monopoly to its advantage.

"Power corrupts. Absolute power is kind of neat"

John Lehman, Secretary of the Navy 1981–1987

MTC-00014887

From: Yves Pelletier
To: Microsoft ATR
Date: 1/23/02 6:17am
Subject: Microsoft Settlement

To whom it may concern:

Even though I am not a US citizen, I feel I must make my opinion known, because the results of this case will have an impact on the way Microsoft conducts its business worldwide.

The current settlement proposal is bad for American businesses and it is bad for the consumers. If applied, it would demonstrate to Microsoft that the antitrust laws that it

broke have no teeth and that it can act as ruthlessly as it pleases against its competitors and even its own customers, with little fear of reprisal. Since it was found guilty of abusing its monopoly position, Microsoft has shown no indication that it had any intention of changing the abusive nature of its core business practices. A much stronger penalty needs to be applied than that which is currently proposed by the DoJ.

Thank you for your attention.

Yves Pelletier

1870 rue Saint-Cyr

Ville Saint-Laurent

Quebec, Canada H4L 3A2

MTC-00014888

From: Tom Allison

To: Microsoft ATR

Date: 1/23/02 6:19am

Subject: Microsoft Settlement

The Proposed Settlement is a really bad idea.

I am not a lawyer, but I can readily see numerous holes and gaps in the settlement which will very quickly render this entire process a futile effort.

There is no real method of enforcement and little definition of any scope in the restrictions.

MTC-00014889

From: James Blackwell

To: Microsoft ATR

Date: 1/22/02 10:20pm

Subject: Microsoft Settlement

To the reader,

I send this email in opposition to the proposed Microsoft Antitrust settlement.

Our country must consider a more severe remedy to the unreasonable size of the Microsoft monopoly. Imagine if 90% of the milk sold in the United States were sold by only one company. That company would be allowed to dictate not only the price of milk, but the terms under which it was sold! So too it is with Microsoft. Americans pay over \$300 for Microsoft Office with no other option due to Microsoft's proprietary formats. Americans shell out over \$90 for the only consumer targeted operating system.

What does this money buy us? Nothing much. We do not even own the compact discs that the software arrives on. We are forced to agree to the terms of Microsoft's end user licenses that have us agree that their software may not work at all!

How could a company manage such a license unless there were no other choice? While American citizens pay increasingly exorbitant rates for a good that is not even guaranteed to work, Microsoft makes extraordinary profits.

These profits are more than ample to prevent entry into the browser market, or most any other market that Microsoft is interested in. Netscape no more had a chance in survival once the words "Let's kill them" were uttered than I would if the Chicago mafia muttered those words for me. Break the company up into three parts: Microsoft Windows, the operating system branch; Office into another company; and all other assets into a third company.

It is only by breaking up Microsoft into separate parts that the company will be reduced to a size digestible by competition.

Thank you for your time.

James Blackwell

MTC-00014890

From: Paul

To: Microsoft ATR

Date: 1/23/02 6:21am

Subject: Microsoft Settlement

What has been done via the settlement is disgusting. Microsoft, obviously, wrote and stands behind these terms, they are not enough. Not even close, the Japanese were not allowed to name the conditions of their surrender. Why should Microsoft?

They should, at the very least, be made to strip the OS of all their hooks, and sell it as such. You really should look more too all of their products as the "rogue" states have done, this is not just as OS monopoly, but an Office Monopoly and if we don't get something done soon, a Media Player Monopoly and a Internet(.Net) Monopoly.

This company is afraid of no-one, and will do whatever it takes to make loopholes.

They have dead people writing letters in their support for crying out loud! They will do anything and must be stopped, cold, NOW!

Thank you from a concerned and scared (and alive) citizen of the United

States,

Paul Stroud

Network Administrator

MTC-00014891

From: Rocky Stout

To: Microsoft ATR

Date: 1/23/02 6:18am

Subject: Microsoft Settlement

I feel that the settlement between the 9 states will do nothing but hurt the industry. There are too many loop holes that even I, a college student, can see. MS used their monopolistic powers to gain marketshare and money, both in which this act allows to keep. I urge you not to accept the settlement in its current form! Microsoft can not be allowed to win this one!

MTC-00014892

From: Oliver M. Bolzer

To: Microsoft ATR

Date: 1/23/02 6:23am

Subject: Microsoft Settlement

I oppose the settlement with Microsoft in its current form.

There are many reasons for it, but to just state a few

Steadily increasing prices. Since the settlement-course has come, Microsoft OSs prices are climbing steeply. As in many people's eyes there is no alternative, this abuse of monopoly really hurts the world's development. Less children can own a computer. It's wrong that for a \$1000 PC, \$300 is just for the OS.

The settlement is too short-sighted. It only covers current products but does not try to prevent rehashing of anti-competitive movements in next versions of the Microsoft OS. Too narrow definitions of various terms, including API and middleware, handling of Java and more.

The Settlement hinders the development of compatible OSes. The documents Microsoft must make open (not many) can not be used to block the monopoly

no protection against patents. Even it Microsoft complies with settlement and "opens" up the API and other aspects of their products. The use of such information could be protected by dumb software patents (which should not have been granted in the first place) and thus the opening made useless.

intentional incompatibilities are still allowed (like was done with DR-DOS)

OEMs are not liberated. Microsofts monopoly-abusing OEM practices (bundle all PCs with Windows, or we don't sell to you) are still allowed. I really hope that the DoJ doesn't do the biggest mistake in its after-war history.

Oliver M. Bolzer

oliver@gol.com

MTC-00014893

From: crayz

To: Microsoft ATR

Date: 1/23/02 6:24am

Subject: Microsoft Settlement

I think the proposed Microsoft settlement is a joke. Please do not accept any settlement that does not absolutely prevent this ruthless company from engaging in its anticompetitive practices. As a computer user, as a US citizen, and as a voter, I am sick of seeing the government let Microsoft off with a slap on the wrist. They have shown contempt for the rule of law by consistently breaking the provisions of the previous ruling against them, and to accept a nearly identical punishment this time around is simply idiocy.

Paul Meserve

MTC-00014895

From: Zot O'Connor

To: Microsoft ATR

Date: 1/23/02 6:22am

Subject: Microsoft Settlement

I am opposed to the Microsoft settlement as proposed for a number of reasons.

The simplest is that it will do nothing to a) Fix the wrongs that Microsoft has committed on the IT industry, and b) prevent them from happening in the future.

Microsoft has little incentive to stop using its monopoly to thwart opposing companies.

This has hurt consumer, and our national interests.

Only recently did Microsoft *claim* to make security important. That means for the last upteen years the majority of our Operating Systems, browsers, works processors and intranet servers were built with people who did not consider security a high priority.

This puts our country at constant risk for cyber warfare.

Had we had a system of competing companies, with people able to choose from several OSes, browsers, and servers then we would have the choice to use competition to make Microsoft Secure.

I do beleive Microsoft should be broken up. If we look at when break ups were done, the companies (e.g. ATT) performed much greater service and actually maintain a sense of internal competition. With Microsoft they have ignored any sense of competition by driving it out.

Currently Microsoft is continuing its poor behavior with XP. Little known to users is

the fact that they have to connect to Microsoft's server and register the product AFTER they have bought and entered their local serial number in. If they don't Microsoft will render their data unreadable.

Now, if there was 3 OSeS on the market, would consumers allow that?

No.

Zot O'Connor

<http://www.ZotConsulting.com>

<http://www.WhiteKnightHackers.com>

MTC-00014896

From: Barbara Dollner

To: Microsoft ATR

Date: 1/23/02 6:25am

Subject: USAGDollner—David—1031—0115

315 Jumping Branch Road

Tamassee, SC 29686-2117

January 15, 2002

Attorney General John Ashcroft

US Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530-0001

Dear Attorney General Ashcroft:

Pursuant to the recently announced public comment period on the Microsoft settlement, I am writing to express my support for the settlement and to ask that the Justice Department cease the Microsoft litigation.

Please understand that I was opposed to this litigation from the beginning. I strongly feel that Microsoft was targeted solely because of their size and their success. Regardless, I understand Microsoft has made some significant concessions in this agreement, including opening its Windows systems to competition from non-Microsoft Internet providers, like AOL Time Warner. This concession, along with its concession of uniform, United States-negotiated, pricing for all major computer makers, should allow additional competition in the computer market. That is all that should be asked of Microsoft. Please accept the settlement reached with Microsoft and order these companies to get back to business.

Thank you.

Sincerely,

David Dollner

cc: Senator Strom Thurmond

Representative Lindsey Graham

MTC-00014897

From: Eric Hultin

To: Microsoft ATR

Date: 1/23/02 6:26am

Subject: Microsoft Settlement

I think the Microsoft settlement is a bad idea. I'm sure that others have stated more eloquent reasons they do not like the settlement, and I will not waste your time by rehashing them.

Eric Hultin

MTC-00014898

From: Jon Niola

To: Microsoft ATR

Date: 1/23/02 6:26am

Subject: Microsoft Settlement

Dear Attorney General Ashcroft et al,

Upon reviewing the propose Microsoft dettlement, I feel inclined to inform you that I as a citizen of the United States do not feel it does enough to prevent future anti-competitive behavior.

While I believe competition in the consumer and business software market is vital to our country, I also believe it would be disastrous if we did not have the compatability within the marketplace that the large installed base of Windows-powered computers provides.

I think a just solution would be to require Microsoft corporation to license their source code to competitors so that other companies may produce compatable, yet competitive versions of the ubiquitous operating system.

The results this would yield are two fold. First off, Microsoft would not be able to bury any hidden functionality in their operating system that makes their applications perform better or have a more robust feature set.

Secondly, this will not cause the financial harm that a segmented, incompatible software marketplace would cause.

Though Microsoft has done signifigant harm to other companies in their industry, sanctions have to be cautiously weighed to prevent futher harm to competitors, but at the same time prevent harm to the ancillary, non-affiliated companies that depend on Microsoft status quo. There are many software vendors out there that build their software only for the Windows platform because of costs. Why build for other operating systems for the same costs when you can build for a ubiquitous platform like Windows? Other competitive companies could build Windows compatible software to run on other operating systems if they were legally allowed to license the Windows source code to do so.

Thank you,

—Jonathan Paul Niola

MTC-00014900

From: Ed Schlunder

To: Microsoft ATR

Date: 1/23/02 6:27am

Subject: Microsoft Settlement

I think the proposed settlement is a bad idea.

Microsoft uses many exclusionary licensing practices, many of which are not mentioned in the proposed final judgement. For example, Microsoft discriminates against ISVs who ship Open Source applications. Here is a quote directly from one of their EULAs:

“ . . . you shall not distribute the REDISTRIBUTABLE COMPONENT in conjunction with any Publicly Available Software. “Publicly Available Software” means each of (i) any software that contains, or is derived in any manner (in whole or in part) from, any software that is distributed as free software, open source software (e.g. Linux) or similar licensing or distribution models . . . ”

Microsoft's only serious, but weak, competitor at the moment is Open Source software. From the EULA above, Microsoft is BLATENTLY excluding Open Source software from participation in their markets. You must not let them get away with this kind of behavior!

Ed Schlunder <eschlund@ajusd.org>

‘One Microsoft Way’ is unfortunately more than just an address.

MTC-00014901

From: Rob Dunne

To: Microsoft ATR

Date: 1/23/02 6:27am

Subject: Microsoft Settlement

The proposed settlement in its current state is bad.

I have read the proposed settlement, and I think it is not good enough. While the settlement does try to protect retaliation vs. OEMs, ISVs and IHVs who support alternatives to Windows, the settlement does not make sure that Microsoft raises no artificial barriers against non Microsoft operating systems which implement the APIs needed to run application programs written for Windows.

Also too many of the important API's would remain documented. Especially since they can easily claim it is for security reasons.

Another problem is the only real possible competition to MS in the server realm (not even talking desktop) is open source software. However by putting unreasonable restrictions on documentation and by patents covering Windows APIs remaining undisclosed the settlement is not helping the only possible competition to Microsoft's monopoly.

Another thing the settlement ignores is Microsoft's lock in by using undocumented file formats. This creates a High Application Barrier to Entry and creates lock-in. (yes many office file formats are documented, but the documentation is poor, inaccurate, and incomplete.)

Thank you,

Robert Dunne

System Administrator

MTC-00014902

From: Max Bell

To: Microsoft ATR

Date: 1/23/02 6:27am

Subject: Microsoft Settlement

I believe the proposed settlement does not properly punish Microsoft for its frequent and willful violations of anti-trust (and other) law and should not be accepted. The American people deserve more than another whitewash. Not that they'll get more — I expect this letter will not be enough to overcome Gates' friends in high places (like the White House).

Max Bell

MTC-00014903

From: Herzog <ppg03.powerpg.com Paul

Herzog

To: Microsoft ATR

Date: 1/23/02 6:26am

Subject: Microsoft Settlement

To whom it may concern,

I think the proposed settlement is a bad idea. Microsoft stifles innovation, through it's monopolistic practices. Microsoft seeks to obliterate all competitors, at virtually any cost (and they have the financial means to do so). Microsoft uses it's monopolistic position in one area to spread it's same position to other areas (like online banking, internet connectivity, car and home information, management and entertainment systems, special-purpose embedded computers for manufacturing and commerce, hand held telephones, PDA's, and much more). This settlement will not stop Microsoft from

dominating these industries as well. Microsoft is expert at spreading its influence into every nook and cranny where a computer (large and small) is used. Face it, every aspect of our lives has now, or is going to be affected by computers—this means Microsoft software.

There are three important world powers: The United States of America, the Peoples Republic of China, and Microsoft. I don't believe the proposed settlement will be effective at stopping Microsoft's march toward becoming the single most important World Power, and holding all peoples, across all national borders hostage to using its software, and (here's the dangerous part) and IT'S SOFTWARE ALONE!!! I'm counting on the US Department of Justice to help prevent this terrible organization from dominating all industries, and peoples. The proposed settlement just doesn't come close to addressing the single largest threat against freedom—Microsoft. For the good of the United States, and all peoples around the world, please rethink the proposed settlement with Microsoft, and work toward a settlement that actually addresses the Microsoft threat, and the Microsoft problem effectively.

Sincerely,
Paul Herzog
President
Gapware Systems Inc.
Flanders, New Jersey 07836

MTC-00014904

From: Rocky Stout
To: Microsoft ATR
Date: 1/23/02 6:28am
Subject: Microsoft Settlement

The settlement is bad, and does nothing to stop Microsoft from pushing ahead full steam. This does nothing to protect consumers let alone any company that Microsoft will put out of business. Do not accept the proposal as it stands!

MTC-00014905

From: Aki Helin
To: Microsoft ATR
Date: 1/23/02 6:28am
Subject: Microsoft settlement in Tunney Act

I have read about the proposed settlement regarding the Tunney Act and I believe that the current settlement is too favorable to Microsoft. Please consider this as a vote to reconsider the settlement.

Aki helin,
Software engineer,
Oulu, Finland

MTC-00014906

From: Heikki Levanto
To: Microsoft ATR
Date: 1/23/02 6:30am
Subject: Microsoft Settlement

I can not believe Microsoft is getting away with this settlement! In my eyes the "settlement" amounts to letting MS off with a warning, after being found guilty. An encouragement to continue unlawful and unhealthy practices, at a cost to both American and international society. At least here in Europe, the American legal system has been the enjoying ever decreasing respect, with lawyers involved in anything, and courts awarding outrageous compensations... We

used to joke that Americans get the best justice money can buy. Don't let MS prove that joke right!

Yours sincerely
Heikki Levanto
manager, LSD.
Copenhagen, Denmark
Heikki Levanto
LSD—Levanto Software Development
<heikki@lsd.dk>

MTC-00014907

From: Matthew Sachs
To: Microsoft ATR
Date: 1/23/02 6:30am
Subject: Microsoft Settlement

As an independant software vendor (ISV) and a computing enthusiast, I do not support the proposed settlement. It is an excellent base, but it has several serious problem which prevent it from being a suitable remedy to the case in its current form. Some of the problems which I feel are the most pressing are outlined below.

No part of the PFJ obligates Microsoft to release any information about file formats, even though undocumented Microsoft file formats form part of the Applications Barrier to Entry (see "Findings of Fact" paragraphs 20 and 39).

ISVs writing competing operating systems as outlined in Findings of Fact (para. 52) sometimes have difficulty understanding various undocumented Windows APIs. The information released under section III.D. of the PFJ would aid those ISVs—except that the PFJ disallows this use of the information. Worse yet, to avoid running afoul of the PFJ, ISVs might need to divide up their engineers into two groups: those who refer to MSDN and work on Windows-only applications; and those who cannot refer to MSDN because they work on applications which also run on non-Microsoft operating systems. This would constitute retaliation against ISVs who support competing operating systems.

—Matthew Sachs, Merrick, NY, US

MTC-00014908

From: Tobias Reif
To: Microsoft ATR
Date: 1/23/02 6:30am
Subject: Microsoft Settlement

The proposed settlement is bad idea.

MTC-00014909

From: Andrew Chatham
To: Microsoft ATR
Date: 1/23/02 6:33am
Subject: Microsoft Settlement

I am writing to express my disapproval of the proposed final judgement against Microsoft in the current antitrust case, because I do not think it goes far enough to prevent Microsoft from abusing its monopoly powers in the future. While a few parts, such as forbidding intimidation of OEMs and ISVs, are necessary in any effective remedy, the rest of the proposed remedy falls short. In particular, it ignores one of the largest barriers to entry, namely Microsoft's proprietary file formats and protocols. Microsoft has and will continue to abuse its monopoly through its file formats and network protocols (files for Microsoft Office and the SMB network protocol in particular). Without full documentation of these formats,

interoperability (and therefore competition) with Microsoft will continue to be practically impossible.

Thank you,
Andrew Chatham
Andrew Chatham
2408 Hideaway Pl.
Jackson, Mississippi 39211

MTC-00014910

From: daniel@wt6.usdoj.gov@inetgw
To: Microsoft ATR
Date: 1/23/02 6:32am
Subject: Microsoft Settlement

To whom it may concern,

The current "Proposed Settlement" for the Microsoft case is insufficient. It will not end in any significant change in the way Microsoft does business. I feel that as long as the company is allowed to bundle their applications with their Operating System they will always be able to maintain their monopoly, and artificially eliminate their competition.

The status quo is a very powerful weapon in the desktop market. It's mainly because most people are too scared, or intimidated to try anything other than what is bundled with their computer. This isn't Microsoft fault, but they have taken advantage of it by bundling applications into their OS. I don't feel this topic has been addressed properly. The key reason that Netscape failed as a company was because Internet Explorer was given away and was bundled with Windows. If these two factors are not addressed, then Microsoft will continue to maintain their monopoly. In fact, Windows XP should be examined very closely, it has many applications bundled just as Internet Explorer was bundled with Windows 98. Where these applications are included specifically to stop competing products, not to make Windows look more attractive as a product.

I believe that Microsoft should be forced to realize source code to their OS. Without charge to competing products, including open source offering such as Wine (www.winehq.com). This is important to allow for a stable platform of competition. I realize that this can only be implemented as a punishment. Microsoft should be broken into two companies, one for applications and one for their OS. This is not an extreme solution. This would force Microsoft to improve the quality of their OS. May people believe that Microsoft produces a quality OS, which is wrong. They produce an OS that is such a security hazard many countries decline to use it. As we have seen with many worms and viruses, a person using Windows should be prepared to share all of their information with the rest of the internet. Yet, not other OS has the same problem. This alone should be construed as harm to consumers, and adequate reason for the company to be broken up.

I would be very disappointed to see Microsoft get off without punishment. The current "Proposed Settlement" contains far too many loopholes for Microsoft to continue its bad and harmful behavior.

Sincerely
Daniel Walker

MTC-00014911

From: Ilan Rabinovitch

To: Microsoft ATR
Date: 1/23/02 6:33am
Subject: Microsoft Settlement

Hello,

Please do not accept the Microsoft settlement it is a bad idea and will hurt both the economy and consumers.

The biggest issue I take with the settlement is that it fails to prohibit many of the anticompetitive practices that brought Microsoft into its position as a monopoly. For example the settlement does not resolve issues regarding anticompetitive licensing. Many of Microsoft's end user license agreements make it illegal to use their software work with open source software.

Another issue is that it does not sufficiently limit Microsoft's ability to bully OEMs and ISVs.

Among other things one solution I propose is for Microsoft to open source their browser (Internet Explorer) as well as discontinued versions of their software (DOS, Windows 3.xx, Windows 95, NT 3.51, Windows NT 4, and 98 when it reaches obseletion).

Microsoft should be required to contribute LARGE ammounts of funds to create a educational program that teaches children around the country how to use the products of their competitors. This should start in lower grades such as kindergarden and continue through the end of high school. It should include Apple's Mac OS and OS X operating system as well as Linux (or any form of Unix such as one of the BSDs). In order to make this training program work Microsoft should pay for the retraining of IT professionals in educational institutions so that they know how to work with Unix (linux,bsd, solaris, etc) and other non-windows environments.

Microsoft should be restricted from entering the home entertainment market (TiVo type devices, set top boxes, and their Xbox gaming console). And if they do enter these markets a percentage of their income should be contributed back into research funding for competitors as well as for training/educational programs previously mentioned.

I have only mentioned a few of the issues I have with the current settlement. I urge you to reject the settlement and find a better solution.

Ilan Rabinovitch
Encino, CA 91316

MTC-00014912

From: Mike Desjardins
To: Microsoft ATR
Date: 1/23/02 6:35am
Subject: Microsoft Settlement
To whom it may concern:

I am writing to urge you to reconsider the settlement against Microsoft in it's antitrust case. The settlement, in its current form, does not punish Microsoft adequately, nor does it help Microsoft's compentitors, who were most hurt by Microsoft's predatory business practices.

Thank You.
Mike Desjardins
Gray, ME

MTC-00014913

From: Rob Hranac

To: Microsoft ATR
Date: 1/23/02 6:36am
Subject: Microsoft Settlement

To Whom it May Concern:

I write to inform you of my strong objection to the proposed Microsoft settlement. The current terms of the settlement, which favor conduct remedies over structural remedies, will not curtail Microsoft's anti-competitive behavior. As past agreements with Microsoft have shown, conduct remedies quickly become ineffective in a fast changing industry and against such a determined and dominant company.

Only a structural separation of the operating systems unit from the rest of the company will take away Microsoft's ability and will to use its monopolistic operating system advantage to the detriment of competitors in all industries and, therefore, the computing world as a whole. The settlement, as it stands, will significantly weaken the U.S. software industry by allowing a single monopolist to continue to stifle innovation on nearly all important computing fronts. At a time when competition from abroad is greater than ever, this is unacceptable.

As a citizen, consumer, and shareholder in the United States, I, therefore, strongly object to the weak terms of the settlement on the grounds that it will significantly hurt our economic system and universally harm U.S. consumers. I am stunned that the government of the United States spent several years winning this complex and important decision, only to concede to Microsoft rather than effecting positive change for consumers and shareholders and I ask you to reconsider. My vote in future elections will only go to those who strive to create a competitive marketplace and this settlement does not do that.

Rob Hranac
120 Berkeley Place, Apartment #2
Brooklyn, NY 11217

MTC-00014914

From: Justin Mahn
To: Microsoft ATR
Date: 1/23/02 6:34am
Subject: Microsoft Settlement
NO settlement. break Microsoft up.

MTC-00014915

From: David Ritter
To: Microsoft ATR
Date: 1/23/02 6:30am
Subject: Microsoft Settlement

The current settlement with Microsoft is not acceptable. A hand slap will not stop this monopoly, please make the punishment appropriate to the size of the problem.

David Ritter

MTC-00014916

From: Selden Thaddeus N DLVA
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 6:38am
Subject: Microsoft Settlement

I would like to voice my complaint with the proposed settlement in the Microsoft Antitrust trial. Simply, I feel that what is proposed does little to either punish or prevent Microsoft from abusing their monopoly powers.

Thank you,

Thaddeus Selden

MTC-00014917

From: Matthew J. Evans
To: Microsoft ATR
Date: 1/23/02 6:39am
Subject: Microsoft Settlement

To whom it may concern:

Being a member of the IT/OEM industry and a small business, I have been greatly affected by the monster that is Microsoft. I feel that this proposed settlement is little more than an license for Microsoft Corporation to continue their un-American monopolistic business practices unabated. Shame on the Justice Department for short-mindedly considering this settlement.

Matthew J. Evans
Matthew J. Evans
Professional Hobbyist
Chimayo, New Mexico, USA
mailto:matthew@chimayo.com

MTC-00014918

From: Jeff Gilmore
To: Microsoft ATR
Date: 1/23/02 6:42am
Subject: Microsoft Settlement

I think the proposed Microsoft Settlement is a BAD idea.

Jeff Gilmore

MTC-00014919

From: Alex
To: Microsoft ATR
Date: 1/23/02 6:41am
Subject: Microsoft Settlement

Hello,

This settlement is not fair and therefore must be re-evaluated.

regards,
Alex Bongers.

MTC-00014920

From: Bill Abbas
To: Microsoft ATR
Date: 1/23/02 6:43am
Subject: Microsoft Settlement

The Proposed Final Judgment does not adequately protect the computer industry from predatory practices by Microsoft.

The nature of a monopoly in a core computer software component such as an operating system provides immense leverage for distributing application level software. As a software professional with over 20 years experience in the field, I have consistently seen Microsoft deliver software applications which are tied to the underlying operating system in a way not available to outside applications, and I have consistently seen Microsoft modify it's operating system to render competing applications inoperable. In my opinion, when Microsoft extols the virtues of "innovation", they mean "Microsoft innovation"; innovative products from other companies are met with coordinated technical/marketing campaigns design to crush them. Specific examples are available upon request, although I suspect you have all the evidence you'll ever need already.

The provision of the PFJ to publish Windows APIs is flawed for a number of reasons. Primarily, it does not fully define all of the APIs which will be relevant in the future. Rather, it specifically defines a

narrow set of current Microsoft applications whose APIs must be published. This set is a) not complete, and b) does not address any future Microsoft products. In addition, since timing is a crucial element of a software product's success, the publication of APIs used by products that are already shipping is of minimal value. The real value of published APIs is in revealing the operating system functionality used by the Microsoft products which are currently planned or in development.

The core problem, as I see it, is that Microsoft is a "fox guarding the henhouse". Microsoft has shown neither the inclination or the integrity to segregate their application development from their operating system development. Unless the company is divided into 2 or more independent entities, I am afraid that Microsoft will continue to increasingly dominate the field by leveraging their operating system monopoly.

Bill Abbas
Senior Software Architect
CRM Solutions, Inc.
Sanford, FL

MTC-00014921

From: Rob Ansaldo
To: Microsoft ATR
Date: 1/23/02 6:43am
Subject: proposed settlement with Microsoft

I recently became aware of the Tunney Act and wish to make my opinion known regarding the proposed settlement with Microsoft. The settlement as it stands will be ineffectual in preventing Microsoft from continuing its anti-competitive business model, it does not foster competition and allows sufficient room for Microsoft to be highly selective (and restrictive) in the information it provides to ISVs. As written, the settlement definitions are either vague or too narrow to be effective. It is my opinion that the Justice Department should go back to the drawing board with this settlement—it will not be effective and will not foster a more competitive marketplace.

Sincerely,
Robert Ansaldo
Leeds, MA

MTC-00014922

From: Brian Fahrlander
To: Microsoft ATR
Date: 1/23/02 6:44am
Subject: Microsoft Settlement

There's so much wrong with the settlement I don't know where to begin.

The typical Microsoft business style is based on lies, leveraging their stance against anyone who might make "too much" of a dent in their empire. Case in point: Blue Mountain Greeting Cards, Netscape, and Spyglass software.

And even when there's nothing illegal or unethical involved, they still don't "get it right", and that's intentional. Case in point:

TCP/IP is a standard that's been around for decades. There's an RFC on how to do it so that your machines/programs are compatible and everything works. Microsoft coded up (or perhaps stole) a TCP/IP "stack" that works in every way but one, as far as I know:

When another host "pings" a Microsoft machine by explicit IP address, it answers. (If

it didn't, it would be almost useless). When someone sends a "broadcast ping" (which all hosts on a subnet are supposed to answer) it does NOT answer the ping. A little odd, but we can live with it.

If the subnet's giving out IP addresses that can change, called "DHCP", all hosts are supposed to talk for the duration of their "lease" on that address. When the lease expires, and the Microsoft box is supposed to shut up, it still answers. Any machine probing the old address to ensure it doesn't hand out an address that's actually in use (causing nasty problems for the net) will get a response from the Microsoft box, and the old address is marked as "in use". Soon, all the addresses available will be marked "in use" and the entire network crashes.

Now why would they do this? They want to sell NT for servers.

This is key:

"The old, open, Unix/Linux machines don't support Microsoft. And it's ALL the Microsoft machines, so it's not their fault; your Unix servers can't handle these new machines."

Then, instead of paying nothing, the management buys two (not one) NT machines, bringing even more non-standard features that require more payments to Microsoft. It requires two machines, costing about \$4,000 total because NT isn't stable enough to be counted on 24/7.

This is just one of the hundreds of crooked deals and the way they do business.

But you KNOW all of this. What you fear about Microsoft is what it will do to millions of computer users. Fear not: no one gets any real tech support from Microsoft. They do it all in-house and through the net. Home users SHOULD be going to their local reseller anyway. It's time to put some profitability back in it for the little guys. As much as I'd like to setup a computer store, there's no way—there's almost no profit in it at all.

I've been in computers since CP/M was still going strong, about 1978. When Microsoft began to grow it was fun—every day a new thing, tricks to learn and things got done. Now, it's only about money and the *perception* of value. There are still viruses, even after 18 years of development, and they're making new security holes. . . by policy. . . every day.

It's got to stop. It has, for me. I sworn off Microsoft one day in 1993 and never went back. But it's still the prevailing monopoly and it's no longer funtional. Point out *real* differences and new features about Word95 that differ from those in Word2k or WordXP. There aren't any. But they keep changing the file format so you'll have to buy the new version just the same.

They're holding back technology; it's time to put Word to bed and put those developers on new projects, but they won't. And while Word remains the (undocumented) standard file format for business, other folks who WILL go where the features are can't get a foothold.

The time for the monopoly is over; let someone who has the true needs of the PEOPLE in mind, not the ever-staggering cash crop. Doesn't it bother you that Microsoft now has enough money that they could literally buy their own "Seventh

Fleet"? Just what do you suppose they'll do with that much money? They sure aren't paying programmers to add features or remove viruses.

. . . and people think they're stable enough to hold private, confidential information like credit cards in .NET? It's time. You're bigger than Microsoft, and now you're the only one.

Brian Fahrlander
Linux Zealot, Conservative, and Technomad
Evansville, IN
ICQ 5119262
<http://www.kamakiriad.com/aboutme.html>
LinPhone: brian@aquila.kamakiriad.com

Virus-hackers are open-source; they harness the power of millions of to crack OSes. Their power is legendary. Ask anyone running Microsoft. Doesn't it just make sense to battle that with millions of contributors to combat these problems? That's what Linux and *BSD are all about.

MTC-00014923

From: Jon Lapham
To: Microsoft ATR
Date: 1/23/02 6:46am
Subject: Microsoft Settlement

I am a US citizen living abroad. I believe that the proposed Microsoft settlement is a bad idea.

My proposed solution: levy a heavy fine against MS, use the money to buy computers for schools, running linux.

Jon Lapham
Extracta Moléculas Naturais, Rio de Janeiro, Brasil
email: lapham@extracta.com.br web: <http://www.extracta.com.br/>

MTC-00014924

From: mark—tracey@yahoo.com@inetgw
To: Microsoft ATR
Date: 1/23/02 6:50am
Subject: Microsoft Settlement

To whom it may concern.

I believe this settlement is not in the public interest.

I believe this settlement does NOTHING to penalize Microsoft for what it has done to companies like Netscape and more importantly I believe that it does NOT prevent them from continuing to dominate and stifle the industry.

Resolving this litigation quickly is not the best way to get the economy going—in fact loosening the Microsoft grip on the industry is the best way to encourage the economy. Once they cannot harm companies more companies will survive and a flourishing fauna and flora will emerge—employing millions of people.

I am myself building a business and I believe it is only time before Microsoft stomps on me like they have done to countless companies—many of whom testified and many more who did not out of fear. They dominate this industry so thoroughly that they impede growth and stifle innovation. They are bad for this industry and they are bad for this country.

The trial has shown they are a monopoly, the trial showed they harmed Netscape—the action you are taking now MUST protect the industry from them, it MUST ensure they

cannot do the same again, it must take steps to ensure a level playing field where they do not have an unfair advantage (being their monopoly). HAVING a monopoly is not illegal, but using it AS THEY HAVE BEEN FOUND TO DO is illegal.

Every court in the land (district up to supreme) has confirmed they did wrong. This settlement is such a poor attempt as redressing the situation, it cannot be considered valid. I do not support it. Having won in all the courts, now the government will lose in the settlement. The industry will continue to suffer and the US economy will suffer along with it. Innovation and growth cannot resume until this monopoly is stopped—and that's YOUR job.

This is an anonymous email because I don't believe my identity will be protected (see the recent incident with the litigation regarding "Lindows" where Lindows.com was forced to provide the details of their customers and petitioners to Microsoft).

Sincerely,
Mark.

MTC-00014925

From: Mike Lundy
To: Microsoft ATR
Date: 1/23/02 6:51am
Subject: Microsoft Settlement
Hash: SHA1

Please do not finalize this mistake. The proposed judgment does not do anything toward preventing Microsoft's less than appropriate tactics. Please, I would like to see Microsoft's API's opened (the various office formats, directx, etc) so that Microsoft's stranglehold on the industry can at least be matched. Please, do not let this continue.

MTC-00014926

From: Marco Baringer
To: Microsoft ATR
Date: 1/23/02 6:51am
Subject: Microsoft Settlement

i do not believe the settlement, as it currently stands, will do anything to stop or even weaken microsoft's strangle hold on the IT industry. I am a US citizen who currently works developing software and has to constantly fight against microsoft in order to do my job. —

-Marco
Ring the bells that still can ring.
Forget the perfect offering.
There's a crack in everything.
It's how the light gets in.
-Isonard Cohen

MTC-00014927

From: Bill Brody—CDA Engineering, Inc.
To: Microsoft ATR
Date: 1/23/02 6:55am
Subject: Microsoft Settlement

I think the proposed Microsoft Settlement is a bad idea.

Bill Brody
Electrical Engineer
CDA Engineering, Inc.
550 Stephenson Highway, Suite 310
Troy, MI 48083
(248) 589-3300 voice
(248) 589-8520 fax
billb@cdaeng.com e-mail

MTC-00014928

From: Frankster
To: Microsoft ATR
Date: 1/23/02 6:52am
Subject: comments on ms antitrust trial
Hi,

I think that the proposed settlement seriously fails in a lot of ways. I think the most significant of these is that there is no requirement to disclose file formats of the office line of products.

Microsoft Office is the de facto standard in office software. Therefore any software which seeks to compete must be able to read the MS Office file format completely and accurately. Because MS do not release details of the office format, anyone seeking to write a competing application must reverse engineer the format of the files. Inevitably it will not be possible to understand the format completely and accurately so other software products will come across as inferior if they fail to translate accurately, thus creating a barrier of entry.

I think the remedies could be more effective if they required microsoft to disclose full and complete details of the file formats for all products.

frankie fisher

MTC-00014929

From: Dion Mes
To: Microsoft ATR
Date: 1/16/02 6:49am
Subject: Microsoft Settlement

Hello,
while not being an US citizen I still want to inform you about my "International" point of view. From my perspective its important for the US to give a strong signal to the International community that these kind of practices are not allowed.

Even if it is considered to be good for US business I can only say that it is not good to bet on one horse. By making it difficult for other American companies to compete on the ICT market they can not expand to other countries. In the case that MS is not severely punished for its acts there will be a reaction from the International community against MS sooner or later. This will harm the US is a bigger way because its one company which competes on the International ICT market, by sharing this ICT market over more US companies it will be possible for the US to do more business Internationally with a lot less risk.

However I am not writing this because I think its bad for US business although it is, I am writing this because it should not be allowed for one company to be this powerfull. I think there should be real competition if that is inside or outside the US does not matter.

MS now has the power to infiltrate and take over any market they wish and they will do so in the future. The first actions that they want to infiltrate the consumer electronics market have already started (Xbox). If the US wants a healthy economic state they should not allow for a company to be so powerfull.

Greetings,
Dion Mes

MTC-00014930

From: Noonan, David (SCH)

To: "microsoft.atr(a)usdoj.gov"

Date: 1/23/02 6:54am
Subject: Microsoft Settlement

As punishment Microsoft gets to train kids on using their software?

They also get to determine the value of the "donated" software? This is a really bad idea. Even the DOJ doesn't seem to like it.

*The DOJ's settlement was brokered by Bush administration appointee Assistant Attorney General Charles A. James, head of the DOJ's antitrust division. But career officials at the Justice Department, who had pursued the case since the beginning, displayed their apparent displeasure with the agreement by not signing it.

Regards,
Dave Noonan
Atlanta, GA
Network Engineer

MTC-00014932

From: Pierre Lamb
To: Microsoft ATR
Date: 1/23/02 6:58am
Subject: Microsoft Settlement

Microsoft has been allowed to squash other in a suitable replacement for its Windos products. While the free enterprise is paramount we must ensure that one company dosen't become a monopoly, our economy depends on computers. Biology has shown us that a diverse pool of genes reduces any effects of virui that is introduced.

Pierre Lamb

MTC-00014933

From: Harris, Gerald
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 6:58am
Subject: Microsoft Settlement

Hello,
I am an American citizen, currently living and working in Germany. From my vantage, with the information available to me, the current PFJ has a large number of failings.
- The new licensing program which is being offered by Microsoft (see the article at <http://www.cio.com/archive/011502/meter.html>) offers a substantial reduction in fees in return for the agreement not to install any competing software. Surely this cannot be in the spirit of the original judgment in this case!

- Disclosure of SW patents protecting Windows API's is not required. How can a competitor know if his product infringes on a Microsoft patent? Competitors cannot be expected to "give it a whirl" and hope that they aren't prosecuted. Lack of disclosure furthers and supports the Microsoft monopoly.

- Microsoft is allowed to retaliate against OEM's that ship PC's containing a competing OS and not containing Windows. Does this mean that OEM's will have to ship their PC's containing BOTH operating systems? And of course the customer is expected to pay license fees for both OS's—even if he didn't want Windows originally. The result of this will be that OEM's shipping Windows will effectively ship only Windows, thus effectively precluding all competition.

This is only a very short sampling of a long list of shortcomings in the proposed judgement. I sincerely hope that major changes are made before this goes into effect.

regards,
 Gerald Harris
 Leader, Software Architecture Group
 Dep. Software Development and
 Engineering
 Harman/Becker Automotive Systems
 (Becker Division) GmbH
 Im St?ckm?dle 1, 76307 Karlsbad,
 Germany, www.becker.de
 tel:+49(0) 7248 71 1873
 fax:+49(0) 7248 71 1368
 email:HarrisG@becker.de

MTC-00014934

From: ron@rongage.org@inetgw
 To: Microsoft ATR
 Date: 1/23/02 7:01am
 Subject: Microsoft Settlement

To whom it may concern:
 I am personally expressing my opinion about the proposed final judgement in the US v. Microsoft antitrust case.

I find it incredible that anyone could consider it ethical, let alone legal, to allow a convicted criminal enterprise to have a hand in the setting of it's terms of punishment. That is exactly what we have here with the proposed final judgement. Microsoft has been allowed to manipulate the process so much that the judgement ends up allowing Microsoft to further it monopoly. Example: Microsoft alone shall be the judge of what constitutes a "legitimate business model" with regards to licensing of API documents.

There are numerous other "gaping holes" in the proposed judgement that others have expounded on. I am reiterating these concerns to you here. The proposed final judgement, if accepted in it's present form, will give Microsoft an unmitigated license to further it's monopoly and crush or otherwise harm it's competitors.

I hereby express my opposition to the proposed final judgement as currently negotiated between the DOJ and Microsoft.

Ronald R. Gage
 Owner—Linux Network Services
 527 Ruby Street
 Saginaw, Michigan 48602

MTC-00014935

From: Mace Moneta
 To: Microsoft ATR
 Date: 1/23/02 7:01am
 Subject: Microsoft Settlement

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties

for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.
 Mace Moneta, retired
 5 Micki Terrace
 Manalapan, NJ 07726

MTC-00014936

From: Mangala Sadhu Sangeet Singh Khalsa
 To: Microsoft ATR
 Date: 1/23/02 6:52am
 Subject: Microsoft Settlement

I do not think that the Proposed Final Judgement in this case is in the public interest.

It doesn't take into account Windows-compatible competing operating systems.

It contains misleading and overly narrow definitions and provisions.

It fails to prohibit anticompetitive license terms currently used by Microsoft.

It fails to prohibit anticompetitive practices towards OEMS.

I hope that you will address these issue before reaching a settlement.

Sincerely,
 Mangala Sadhu Sangeet Singh Khalsa
 510 N Guadalupe St Ste D
 Santa Fe, NM 87501

MTC-00014937

From: Mark Howard
 To: Microsoft ATR
 Date: 1/23/02 7:02am
 Subject: Microsoft Settlement

Dear Sir,

I have read the proposed settlement and am not happy with its current state. In my opinion, the APIs (for windows) and Filetype definitions (For all files—.doc, etc.) should be completely open to allow all companies equal opportunity to develop applications on a level field. Note that I believe this is what should happen as standard, *not* as punishment, which should be completely separate.

I hope you will take this vote against the current settlement and consider the mentioned points.

Thank you for your time.
 Mark Howard
 tildemh.com

MTC-00014938

From: Smith, Calvin
 To: "microsoft.atr(a)usdoj.gov"
 Date: 1/23/02 6:59am
 Subject: Microsoft Settlement

I think that the current settlement is a bad idea. It definitely does not go far enough and will not stop or even slow Microsoft's anti-competitive behaviour.

-Calvin Smith, Engineer at Digex

MTC-00014939

From: tigger
 To: Microsoft ATR
 Date: 1/23/02 7:03am
 Subject: Microsoft Settlement

i would like to say that i have read the proposed settlement and am against it in its current form. Microsoft Competitors need to

have more solid gaurantees for protection. I am more inclined towards the remedy of judge Jackson. I feel that takes a more realistic approach to curbing the monoplpy abuses committed by Microsoft that the current settlement. Please consider this a vote against.

thank you
 Reiner Peterke
 352 NE 52nd st
 seattle, WA 98105

MTC-00014940

From: Sean M. McCullough
 To: Microsoft ATR
 Date: 1/23/02 7:00am
 Subject: Microsoft Settlement

The microsoft settlement is bad. Do not let it go through. Microsoft must be punished!

MTC-00014941

From: jamie
 To: Microsoft ATR
 Date: 1/23/02 7:02am
 Subject: Microsoft Settlement

I think the proposed settlement is a bad idea.

It lets Microsoft walk away from the harm they have done to the computer industry and consumers.

Once monopolies finish with their competitors they turn on their customers. If their monopoly is not reined in now they will continue their illegal business practices to the further detriment of us all.

MTC-00014942

From: Dan Carrigan
 To: Microsoft ATR
 Date: 1/23/02 7:12am
 Subject: Microsoft Settlement

To:
 Ms. Renata B. Hesse
 Antitrust Division
 U.S. Department of Justice
 601 D Street NW
 Suite 1200
 Washington, DC 20530-0001

I feel the Microsoft Antitrust Settlement is unfair to educational customers and does not address the negative market consequences of allowing Microsoft to continue it business practices.

Regards,
 Dan
 Dan Carrigan
 Reference Librarian
 dcarrigan@
 antioch-college.edu
 Antioch College Olive
 Kettering Library
 937 767-1240
 795 Livermore Street
 Yellow Springs, OH 45387-1695
 "Civility costs nothing and buys everything" L. Montagu

MTC-00014943

From: Joris Benschoep
 To: Microsoft ATR
 Date: 1/23/02 7:06am
 Subject: Microsoft Settlement

Hi
 I think the proposed settlement ("United States v. Microsoft Settlement") is a bad idea. It will strengtehn the MS monopoly and will not punish this company in any way

Sincerely
Joris

MTC-00014944

From: Mark Jaroski
To: Microsoft ATR
Date: 1/23/02 7:04am
Subject: Microsoft Settlement

Your Honor, Ladies and Gentlemen of the court,

I would like as a U.S. citizen to register a complaint against the proposed settlement with Microsoft on several simple grounds. The settlement would grant Microsoft the monopoly it was found guilty of maintaining, and in fact give it a new platform for marketing it's operating system, by way of the so-called punishment, free distribution to schools.

As a computing professional I am appalled, and consider this settlement a travesty of justice.

Please your honor, reject this settlement.

Thank you,
Mark Jaroski
Senior Software Engineer
World Health Organization
Avenue Appia, 27
CH-1211 Geneva
Switzerland
— mark at geekhive dot net

MTC-00014945

From: Mike Centaur
To: Microsoft ATR
Date: 1/23/02 7:04am
Subject: Microsoft Settlement

Dear Renata B. Hesse,

As a citizen of California, a computer programmer, and even as a Microsoft user, I find the proposed settlement in the Microsoft case to be a bad idea. I think it's incumbent upon the Federal Government to seek a more just disposition of the matter. Microsoft should not get off easy. You must push for greater concessions from Microsoft to ensure that computing innovation continues and that future generations will have greater options in the marketplace than they do now. We must not put all of our eggs in one basket.

Sincerely,
Mike Caetano
1228 O St #104
Sacramento, CA 95814

MTC-00014946

From: Keith Carver
To: Microsoft ATR
Date: 1/23/02 7:02am
Subject: Microsoft Settlement

Hello,

I am writing this Email, because I believe that Microsoft has been let off the hook in it's current trial with the Dept. of Justice.

After reading much documentation on the subject I can only come to one conclusion, This agreement was thrown together As fast as possible so both sides would be happy and the case would be closed.

However the penalties against Microsoft need to be thought out more, and not just by "Justice Dept. or Politicians"

I would suggest that you setup a panel of Tech. Experts from companies such as the ones that have been at the Mercy of Microsoft "AOL/Redhat/OEM's" and by regular People

in the Tech. Industry such as "Reporters/CEO's/Consumers".

In the end these people will be the ones who have to deal with what you decide here, since you probably won't get another Chance to stop this Monopoly again any time soon.

Remember, Microsoft is great at finding loopholes/clauses in contracts/verdicts etc. that can allow it to continue.

If the remedy in this case, were to benefit the computer Industry as we all hope, Microsoft would have never agreed To it, so something is still very wrong.

Sincerely,
Keith Carver
"Simple Voter From FL"

MTC-00014947

From: Michael Haertjens
To: Microsoft ATR
Date: 1/23/02 7:05am
Subject: Microsoft Settlement

I have read about the proposed settlement, and I feel that it is overly favorable to Microsoft. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors, yet unfavorable to Microsoft.

Michael Haertjens
306 Carol Drive NE
Palm Bay, FL 32907

MTC-00014948

From: Peter Statham
To: Microsoft ATR
Date: 1/23/02 7:05am
Subject: Microsoft

I am a British Citizen and a open source programmer, however Microsoft is a multi-national corporation and the Microsoft trial was important, so I would like to say a few thing regarding it. Microsoft have made life hell for us for years, they have flaunted all important standards such as POSIX (NT's POSIX compliance is not as complete as microsoft says), and ANSI, which make it difficult to write software for Windows and even more difficult to port software to and from other operating systems.

Because Windows is used on 90% of all desktop computers, programmers must write for Windows which enforces the above paragraph.

They have also used threats and bribes to prevent competition from producing programs superior to their own.

Microsoft has also repeatedly stolen ideas from other programmers and companies, this makes Microsoft somewhat hypocritical, Microsoft claim to be all for the American DMCA, yet they steal other people's ideas, their intellectual property, Microsoft call the open source movement (who give full credit to the programmers) a cancer, from this behaviour it would be better to call Microsoft the cancer. Microsoft have held back computer technology 10 years now, they have charged us though the nose for buggy software and then charged us for the bug fix.

Please stop Microsoft, forbid them to make any software releases for 5 years and give us a chance to establish some new standards, but don't let Microsoft off with a slap on the wrist, this is more than a spat between rival companies, the programming community

were hoping that you would prevent Microsoft from ruining PCs anymore than they have done.

Thank you.
—Written By Stats—
—stats@ufie.org —

MTC-00014949

From: nirinjan.singh@yogitea.nl@inetgw
To: Microsoft ATR
Date: 1/23/02 7:07am
Subject: Microsoft Settlement

I do not think that the Proposed Final Judgement in this case is in the public interest.

It doesn't take into account Windows-compatible competing operating systems. It contains misleading and overly narrow definitions and provisions.

It fails to prohibit anticompetitive license terms currently used by Microsoft.

It fails to prohibit anticompetitive practices towards OEMS.

I hope that you will address these issue before reaching a settlement.

Sincerely,
Nirinjan Singh
1238 Upas St.
San Diego CA 92103

MTC-00014950

From: Paul Loveridge
To: Microsoft ATR
Date: 1/23/02 7:07am
Subject: Microsoft Settlement

I think the proposed DOJ / Microsoft settlement is a bad idea, as it takes no account of the open source software movement, and leaves several loopholes that Microsoft are sure to exploit.

Paul Loveridge,
Software Engineer

MTC-00014951

From: Dan Naumov
To: Microsoft ATR
Date: 1/23/02 8:18am
Subject: Microsoft Settlement

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundreds, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Sincerely,
Dan Naumov

MTC-00014952

From: Caton Gates
To: Microsoft ATR
Date: 1/23/02 7:08am
Subject: Microsoft Settlement

I write to express my concern that the proposed settlement of the Microsoft Anti-trust case falls far short of what is necessary.

Unless much more far-reaching—and specific—measures are imposed, Microsoft

will retain and extend its stranglehold on the market, stifling or absorbing any competition to its monopoly. There appear to be far too many loopholes in the definitions and remedies of the proposed settlement. I encourage you to consult closely with those who wish to compete with Microsoft, and determine with greater specificity ways in which Microsoft's behavior can be best modified.

-c

MTC-00014953

From: trentjarvi@yahoo.com@inetgw
To: Microsoft ATR
Date: 1/23/02 8:15am
Subject: Microsoft Settlement
Greetings

As a small contract software developer <http://www.rxtx.org>, I would like to suggest the the current proposal undermines the industry I work in. I understand you get a large number of emails from "anonymous industry supporters." Please consider the larger picture and support true competition in this industry by putting an end to the current proposal.

Trent Jarvi
trentjarvi@yahoo.com
CC:trentjarvi@yahoo.com@inetgw

MTC-00014954

From: Benjamin Krueger
To: Microsoft ATR
Date: 1/23/02 7:10am
Subject: Microsoft Settlement

As a Systems Administrator of 4 years on Unix, Windows, Linux, and BSD systems, I wish to comment on the proposed final judgement in United States vs. Microsoft.

It is my opinion that this proposed settlement fails to address some of the most important wrongdoing that Microsoft has committed, fails to prevent Microsoft from engaging in these behaviors in the future, and fails to punish Microsoft for the severe and irreparable damage they have caused to the computer software and hardware industries, as well as the economy of these industries.

Please dispose of this current settlement in its entirety, as it fails to fulfill even the basic criteria of a fair and just settlement. Please consider a settlement that will appropriately give every opportunity to Microsoft's competitors (who currently can not compete) to develop products that benefit the industry and its consumers, rather than Microsoft.

Thank You
Benjamin Krueger
320 Cedar St. Apt 216
Seattle, WA 98121
Independant Party Affiliation

MTC-00014955

From: jose chua
To: Microsoft ATR
Date: 1/23/02 7:21am
Subject: Microsoft Settlement
Dear Sir or Madam:

As a software engineer, the proposed settlement will greatly affect my livelihood. As an American citizen, the proposed settlement will greatly affect my way of life, as it sets the tone for doing business in the new millennium. In its current state, the proposed settlement does not adequately address Microsoft's illegal actions.

There are several loopholes. The definition of "Windows Operating System Product" (definition U) excludes other Microsoft Windows Operating Systems such as Windows XP Tablet Edition, Windows CE, and PocketPC. These products are derived or are the progeny of the Windows codebase, and should be included. Also, any future upgrades, service packs and fixes should be part of the definition.

In Section III.A.2., no provision is made for a Personal Computer that ships with a non-Microsoft Operating System but no Windows Operating System. As it stands, protection for OEMs is provided only if an OEM continues to bundle Microsoft products.

In Section III.D., Microsoft is required to provide API documentation to ISVs at the time of the final beta test. This timeframe is not sufficient for ISVs to adapt their products to fit the requirements specified in Section III.H.3., which states that competing middleware can be locked out if it fails to meet requirements seven months before the final beta test.

The proposed settlement is largely insufficient and does not serve the public interest. Please consider this a vote against the proposed settlement.

Sincerely,
Jose B. Chua
2530 Poplar Street
Union, New Jersey 07083

MTC-00014956

From: Thomas M. Albright
To: Microsoft ATR
Date: 1/23/02 7:10am
Subject: Microsoft Settlement

I would just like to say that I have read about the proposed settlement, and I am not in favor of it in its current state. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors, yet unfavorable to Microsoft.

Thank you,
Thomas M. Albright
49 Lucas Pond Rd.
Northwood, NH 03261
(603) 942-7714
Thomas M. Albright (Linux user number 234357)

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

MTC-00014957

From: Andy Murren
To: Microsoft ATR
Date: 1/23/02 7:28am
Subject: Microsoft Settlement
To: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Having reviewed the proposed settlement I feel that it is seriously flawed. Having been

a programmer and a systems administrator for several years I have seen Microsoft force companies out of business or to drop business lines due to their practices. I feel that the proposed settlement does not fully address these practices and prevent Microsoft from continuing them.

Specifically there are three area that need to be rigorously addressed.

1. All APIs must be fully documented and published for use without restriction, by anyone include competitors. The definition of an API must be very broadly stated. They should be published before the product is released for public beta testing, or 120 days prior to sale of the product, which ever is earlier. Also, all changes must be published in a timely manner when updates, patches and revisions are released.

2. All file formats must be fully documented and published for use without restriction, by anyone include competitors. The time frames should be the same as above.

3. Licensing and sales incentive practices of Microsoft are anticompetitive and need to be changed. Microsoft should be brought into line with industry standard practices and not allowed to use its market share and power to cripple competition and drain money from consumers and companies.

These terms should remain in effect until Microsoft has less than 49% of market share.

So long as Microsoft can prevent competition by using its dominate market position it will continue to harm the American economy. By not allowing competitors (both commercial and Open Source) to write compatible software, Microsoft will remain a monopoly. This proposed settlement does not address the short or long term changes needed to end the Microsoft Monopoly.

Andrew J. Murren
Mendham, NJ
Andy Murren
andy@murren.org

MTC-00014958

From: Ed Figarsky
To: Microsoft ATR
Date: 1/23/02 7:10am
Subject: Microsoft Settlement

Dear Department of Justice:

I think the proposed Microsoft Settlement is an injustice. I believe the company should have separated into two, if not three pieces: Operating Systems, Server Software, and Everything Else (Productivity Software). I think Microsoft's ploy of offering to flood schools with their products is ridiculous. (A decade or so ago Bill Gates was noticed because of his large charitable donation—of outdated software, not money. No one saw the irony in that?)

As a software developer, I feel that Microsoft goes against all the principles of best practice and fair play. The world would be a better place without them.

Sincerely,
Edward Figarsky
384 Lower Holland Road
Holland, PA

MTC-00014959

From: m h
To: Microsoft ATR

Date: 1/23/02 7:11am
Subject: Microsoft Settlement

Dear sir,
I would like to register my vote against the current settlement. I do not it goes far enough in opening up the monopoly. Other companies, need more information from Microsoft. for example, windows developers need to know about the exact details of the windows API, presented in a useful way, so that microsoft is not the only one able to take advantage of the lesser-known features.

howama
howama@mailandnews.com

MTC-00014960

From: St-Pierre, Daniel
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 7:17am
Subject: Microsoft Settlement

I believe the proposed settlement is bad idea.

I think that the best way to restore competition on the desktop would be to force Microsoft to do only two things:

1. Release all documentation relating the formats of their MS Office documents.
2. And probably the most important; have them release all network communication APIs so that other companies can create products able to communicate and interoperate with Microsoft Products.

Also have them document and release any changes at least 3 months ahead of releasing new products or updates.

Thank you.

MTC-00014961

From: Corey Frank
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 7:14am
Subject: Microsoft Settlement

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices. Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time
Corey J. Frank
38472 Casselberry Ct
North Branch MN 55056

MTC-00014962

From: Peter Hartzler
To: Microsoft ATR
Date: 1/23/02 7:13am

Subject: Microsoft Settlement

Greetings—

I oppose the proposed Microsoft Settlement. I think this settlement is a very bad idea. In general, the settlement goes too far to protect Microsoft; it would allow them to effectively protect and extend their monopoly.

In particular, the settlement does not address the single most powerful hold which Microsoft exerts on the market; to wit: document standards.

Additionally, the small provision for publishing interoperability standards is quite weak. I have no doubt that Microsoft will be able to circumvent any such restrictions.

I hope the U.S Department of Justice will reject the proposed settlement. To do otherwise would be disservice to the future of our country.

Respectfully Yours,
Peter Hartzler
2907 Madison Place
Falls Church, VA 22042
(703) 534-6537
<pete@hartzler.net>

MTC-00014963

From: Robert Grabowsky
To: Microsoft ATR
Date: 1/23/02 7:13am
Subject: Microsoft Settlement

I am a United States citizen with about 16 years experience in the computer industry. I am a computer professional and my livelihood depends on happens in the US vs. Microsoft antitrust case. I have read the proposed settlement, and I am not in favor of it in its current state.

Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors, yet unfavorable to Microsoft. I believe the proposal is a dishonest one that sells out the public interest. I will explain why, and offer some guidelines for a fairer remedy.

1. Microsoft's main crime (not bundling, but the prevention of bundling) has had lasting anti-competitive effects that the settlement should address but doesn't. What Microsoft did that seriously disadvantaged the consumer was not so much bundling its own browser with its operating system, but preventing computer resellers (OEMs) from offering consumers a choice by bundling competing browsers such as Netscape Navigator.

2. Microsoft's monopoly profits are the direct result of these and other illegally anti-competitive tactics. The antitrust case established that the absence of competition emboldened Microsoft into charging \$89 for Windows instead of \$49. In other words, consumers paid extra merely because of a monopoly that was being illegally maintained. There is absolutely nothing in the proposed settlement that addresses the issue of these ill-gotten gains, or how these will be reimbursed to the public from whose pockets they came. This simple omission easily amounts to billions of dollars, and by itself makes the settlement a sellout of the public interest, even without an assessment of its other shortcomings.

3. Though it has been established that Microsoft has repeatedly broken the law, the

settlement only defines mechanisms to prevent future wrongdoing. What about punishment for past wrongdoing? Guidelines for a fair remedy:

1. Recurrence: Microsoft must not be able to continue to abuse its monopoly the way it has in the past.

2. Reimbursement: Microsoft has no right to retain the excess profits it has earned as a result of its illegal actions. This money should be repaid to the consumer.

3. Reparations: As Microsoft is responsible for the current uncompetitive market in operating systems and related applications, it must underwrite efforts to restore competition and consumer choice. The rest of the market should not have to pay to recover from Microsoft's abuses.

4. Reference: Microsoft must pay punitive damages over and above its reimbursement and reparations obligations, to serve as a warning to deter future monopolists. The remedy must in no case send out a signal that a large enough violator can get off lightly. Future tax dollars can be saved by discouraging abuses instead of having to prosecute them.

Sincerely,
Bob Grabowsky

MTC-00014964

From: bob noob
To: Microsoft ATR
Date: 1/23/02 7:13am
Subject: Microsoft Settlement

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted. Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.

MTC-00014965

From: Frank Field
To: Microsoft ATR
Date: 1/23/02 7:13am
Subject: Microsoft Settlement
Renata B. Hesse
Antitrust Division
US Department of Justice
601 D Street NW
Suite 1200
Washington, DC, 20530-0001
Dear Ms. Hesse:

I am writing to add my voice to the others OPPOSED to the proposed settlement of the

Microsoft antitrust suit. As currently constituted, this settlement fails to establish a basis for competition in the marketplace for PC software. More importantly, elements of the language suggest that the settlement will allow Microsoft to employ several predatory practices to illegally defend its market share—to wit, the apparent limitation of the various “openness” decrees to commercial concerns only.

The Open Source software community has demonstrated startling innovation in the face of past predatory behavior by the defendant in this case, largely through the open standards that have been developed by that community. The consent decree does nothing to restrict Microsoft’s “embrace and extend” strategy, which will cripple innovation in the very sector that our economy depends upon for its success today.

Because of this and other well-documented elements of the proposed settlement which fail to ensure a competitive market, I strongly resist the terms of the current settlement, and implore the Department of Justice to reopen the settlement talks.

Frank R. Field, III
Materials Systems Laboratory
Senior Research Associate, MIT CTPID
Associate Director of Education, TPP
Tel: 617-253-2146; Fax: 617-258-7471
e-mail: furd@mit.edu
URL: <http://msl1.mit.edu/>
CC:furd@mit.edu@inetgw

MTC-00014966

From: Richard Glanmark
To: Microsoft ATR
Date: 1/23/02 7:15am
Subject: Microsoft Settlement

Its a bad idea to make a settlement.
Microsoft is clearly a monopoly and should therefor be split up to open up competition. Competition is good for customers as we all know.

Regards,
Richard Glanmark
Richard Glanmark B l u e f i s h
glanmark@yahoo.com fax +46 8 731 80 10
tel +46 709 472 153 icq 33836596
Hjlp mig fixa min fest! <http://fixafest.nu>

MTC-00014967

From: Claude A. Keswani
To: Microsoft ATR
Date: 1/23/02 7:15am
Subject: Microsoft Settlement

I feel that the proposed settlement would not remedy Microsoft’s anti-competitive practices and that Microsoft’s behavior will eventually cripple innovation in the software industry.

Claude Keswani
758 East Third St.
South Boston, MA 02127
617.269.0387

MTC-00014968

From: Andrew
To: Microsoft ATR
Date: 1/23/02 7:16am
Subject: Microsoft Settlement

This is an extremely bad idea.
Andrew Laughton

MTC-00014969

From: Needham, Douglas

To: “microsoft.atr(a)usdoj.gov”

Date: 1/23/02 7:17am

Subject: Microsoft Settlement

In reviewing the findings of the court that have been un-refuted. I don’t think that settling with Microsoft is in the overall best interest to me as a consumer or my company. Microsoft has been found guilty of being a monopoly, and have absolutely no respect for the judicial system in america. They have time and again scoffed at any “terms” that they had to live by. The release of XP with all of its bundling has shown that they have no intention of changing their ways.

Please do not settle with a guilty company that will not change its ways unless changed by force.

The saying goes speak softly but carry a big stick.

If you always speak softly and never use your big stick then what is the point of having it?

Please do not settle with Microsoft. They need to be punished in such a way that they will not continue their behavior.

I am forced to write you this not from outlook on a Windows 2000 machine. This is not my choice but the choice of my company.

My company chose Microsoft products not because they were the best but because they felt they do not have a choice. Please, punish Microsoft now in a way that allows my company to actually believe it is safe to find an alternative email system without fear that they will be crushed by Microsoft.

Doug Needham
Lockheed Martin Mission Systems
Bldg 102/G70
9255 Wellington Road
Manassas, VA 20110-4121
(703) 367-1563
FAX (703)367-6574

MTC-00014970

From: Adam Schreiber
To: Microsoft ATR
Date: 1/23/02 7:17am
Subject: Microsoft Settlement

I think the proposed settlement is a bad idea. It is but a wrist slap for a company like Microsoft. The American people deserve a better settlement.

Adam Schreiber

MTC-00014971

From: Woodraska, Robert J.
To: “microsoft.atr(a)usdoj.gov”
Date: 1/23/02 7:18am
Subject: Microsoft Settlement

Many smarter people than me have already written comments on the Proposed Final Judgement I am sure, but I thought I would add my two cents. Microsoft has already been proven to introduce deliberate incompatibilities to maintain their hold on different platforms, as evidenced by the 1996 Caldera vs. Microsoft lawsuit. The proposed remedies are far too weak to prevent Microsoft from doing this in the future. In a sense, the Proposed Final Judgement would rely on the willingness of Microsoft to open up to competition, and their track record seems to indicate that this is unlikely. Many definitions, such as API are worded in such a poor manner as to give Microsoft more of

an advantage legally than they already enjoy. The Proposed Final Judgement should be overhauled (perhaps rewritten from scratch) or rejected. Thank you for your time.

BoB Woodraska
IB Systems Administrator
PCS
(605) 362-1260

MTC-00014972

From: Chris Kaczor
To: “microsoft.atr(a)usdoj.gov”
Date: 1/23/02 7:18am
Subject: Microsoft Settlement
I agree with the settlement.

MTC-00014973

From: Mike
To: Microsoft ATR
Date: 1/23/02 7:17am
Subject: Microsoft Settlement

Please don’t let Microsoft get away with their crimes once again. The last DOJ anti-trust settlement with them was a wrist slap. That’s what this new one is shaping up to be as well. The settlement is a joke, allowing them to get away with their abusive practices without any real penalties.

As written, the settlement has too many holes in it, which will allow Gates & Company to continue their arrogant practices. The remedies only protect commercial companies. What about Linux? The biggest competitors to Microsoft are not-for-profit organizations, which aren’t covered in the scope of this ludicrous settlement!! Section III(J)(2) pretty much rules out not-for-profit organizations from getting any benefit at all from this settlement, and indeed allows Microsoft to ignore them, not providing them with API’s, documentation or comm protocols.

PLEASE PUNISH MICROSOFT!! You won the trial, for crying out loud. Now you’re going to let them off the hook?

I urge you to throw out this pro-Microsoft settlement, and come up with something that is strong enough to STOP them from behaving the way they do, and something that has some punitive measures in it!!

Mike Whitney
Systems Analyst/Programmer
Austin, TX

MTC-00014974

From: Chuck Mason
To: Microsoft ATR
Date: 1/23/02 7:18am
Subject: current case

I believe that the current proposed settlement in the Microsoft case is a bad idea.

Charles Mason

MTC-00014975

From: Kevin Swearingen
To: Microsoft ATR
Date: 1/23/02 7:19am
Subject: Microsoft Settlement

I strongly feel that the lack of enforcement of terms will result in a lack of enthusiasm by Microsoft to comply with the terms of the proposed settlement.

I strongly feel that the PFJ requirement for MS to release API documentation to ISVs is poorly defined and inadequate. I feel that API is too narrowly defined.

I strongly feel that most of the conditions and requirements of this settlement are inadequate and will be ineffective in modifying in Microsoft's anticompetitive behavior.

Kevin Swearingen

MTC-00014976

From: scott j lopez
To: Microsoft ATR
Date: 1/23/02 7:19am
Subject: Microsoft Settlement

I think the proposed settlement with Microsoft is truly a shame. Microsoft has let its influence and its money buy their way out of punishment for the crimes they committed. Is the government "by the people for the people" or "by the people for the highest bidder?"

Please count me among the growing number of US Citizens who are unhappy, disappointed and dissatisfied with the "justice" brought against Microsoft.

Thank you,
Scott J. Lopez

MTC-00014977

From: hayward@slothmud.org@inetgw
To: Microsoft ATR
Date: 1/23/02 7:19am
Subject: Microsoft Settlement

I think the proposed settlement is a bad idea.

Microsoft keeps saying that they have competitors (namely Open Source Linux). But the settlement completely excludes them from using any of the information the settlement forces them to disclose.

Not only will open source projects not fit the guidelines of who Microsoft is forced to disclose the information too. The release of the protocols without the security information makes them completely useless because if you can't authenticate, you can't use the protocols!

Microsoft needs to be forced to open up their protocols and interchange formats to others in order to really level the playing field. The Microsoft Word document is one example. They have such a lock on the market of word processors just because they are the defacto standard. Microsoft uses these formats to force their customers to upgrade office on an almost yearly basis. Most people I talk to upgrade office because they want to be able to read new word/excel documents—not because office provides any new amazing features that they really want. Microsoft uses these formats as extortion to keep businesses and people upgrading their products. I know, because I'm a programmer, that Microsoft could create a new word document format that is still able to be opened with previous word processors. This is exactly how the HTML/XML formats work. But they choose to not do that.

Microsoft also uses changes in their word document format to keep other word processors from ever being able to compete with them. In the industry today, if you can't open a word document, your word processor is useless.

If you were to force Microsoft to open ALL protocols, formats (including word, excel, powerpoint, networking protocols, asf, windows media, etc formats) then you would

go a great distance towards leveling the playing fields.

As a technical expert, looking at the current proposal is just disghusting. It's almost like you let Microsoft write it themselves!

Brian Hayward

MTC-00014978

From: Justin Kao
To: Microsoft ATR
Date: 1/23/02 7:19am
Subject: Microsoft Settlement
Hello,

I am writing to state that I feel the current proposed settlement with Microsoft is insufficient.

In particular:

1. Section III.J.2 exempts Microsoft from disclosing information about authentication and authorization to third parties that Microsoft does not judge to be businesses. This leaves out ALL open-source projects such as Apache, Samba, Wine, etc. which are developed by volunteers yet provide the vast majority of the available alternatives to Microsoft software! Essentially then, this settlement allows Microsoft to continue its anti-competitive practices against its largest competitors.

2. The settlement seems to do little with regards to fixing the results of past anti-competitive practices by Microsoft, namely the domination of Microsoft Office, Internet Explorer, Exchange, and other products. In addition to placing restraints on future behavior, the settlement should do something about the current monopoly. A good start would be to require openly documented file formats for Microsoft Office and openly documented protocols for communicating with Microsoft Exchange.

Thank you.

Justin Kao
Caltech MSC 301
Pasadena CA 91126

They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety.—Benjamin Franklin

MTC-00014979

From: Richard Lawson
To: Microsoft ATR
Date: 1/23/02 7:21am
Subject: Microsoft Settlement

Although the following text is not my own, it adequately summarizes my negative feelings towards the proposed Microsoft settlement and is reproduced with permission of the author:

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.

Richard Lawson

MTC-00014980

From: Jeff Pitman
To: Microsoft ATR
Date: 1/23/02 7:21am
Subject: Microsoft Settlement

To whom it may concern:

Before the public commentary period expires, I would like to, as a U.S. citizen, state my concern about the Microsoft Proposed Settlement. In your settlement, you leave what appears to be many loopholes that can allow Microsoft to continue to practice anti-competition in its current markets.

Two points I would like to make:

1. You fail to consider—if it is possible—markets that Microsoft has entered that do not include its operating systems divisions. Microsoft has exerted undue influence on markets including peripheral hardware, gaming machines, handheld devices (software), etc. Although you speak about IHVs, I think the hardware aspect of the settlement needs to be fully explained and clarified.

2. The discussion about versioning is ridiculously open to interpretation and further work around by Microsoft. You talk of Major revisions being whole numbered and Minor revision being numbers followed by the decimal. However, did you ever fathom that they could use a different versioning scheme. Windows 2000 ring a bell? Although it has a 5.00 version. What if they move to another scheme? What provisions does this settlement provide to cover this loophole?

Lastly, I would like to thank you for your efforts in inacting these restrictions on Microsoft. I feel that they've gone too long under pretenses of unfair competition.

If you need to verify my citizenship:

Jeff Pitman
c/o Robert Pitman
2631 NE Laura St
Hillsboro, OR 97124
(503) 844-7227

Thank you,
jeff pitman
support engineer
brooks automation pls/bu
+886-953-275-447

MTC-00014981

From: Lynn Crumbling
To: Microsoft ATR
Date: 1/23/02 7:39am
Subject: Microsoft Settlement

To whom it may concern,

I have read over the proposed Microsoft Settlement, and am NOT in favor of it, in its current state. The settlement does not, in any way, penalize Microsoft for its past

infringements of the law. For many years, OEMs have been under control of this corporation, and simply "formalizing" this law in a document is not enough. Microsoft has been declared guilty of past wrongs, and must now be held accountable in some measure. The current proposed settlement is unacceptable. Thank you for your time.

Sincerely,
Lynn M. Crumbling
549 Hillcrest Rd.
York, PA 17403

MTC-00014982

From: Tom Coady
To: Microsoft ATR
Date: 1/23/02 7:22am
Subject: Microsoft Settlement

I think the proposed settlement is a bad idea
best wishes,
Tom

MTC-00014983

From: Jason Zawacki
To: Microsoft ATR
Date: 1/23/02 7:21am
Subject: Microsoft Settlement

I do not believe the proposed settlement will force Microsoft to turn to anti-competitive practices in order to sell their software. This case has been absolutely infuriating how Microsoft can put the same smokescreen (marketing) in front of the courts as it does to the general public. "Freedom to innovate", how, by limiting consumers so that all paths flow through Microsoft?

Some examples—

OEM deals where Windows must be installed on all new computers, and that no other alternative is allowed.

Consumers cannot request that a different OS (or no OS) be installed, and are automatically charged for the Windows license. How is this not anti-competitive?

Windows XP—which is an operating system that brings MS a giant step closer to having complete integration with MSN, with no other alternatives—can you replace MSN with AOL and get the same integration? No?

Then it should be a separate product NOT integrated with XP. This would give AOL (and any other similar business) a fair chance at attracting customers, where MS would have to market their merits of MSN vs AOL rather than winning by default.

Active Directory—The LDAP protocol is perfectly capable of handling anything AD can handle. But does MS use LDAP (an open standard?) NO. It takes it, modifies it slightly so that all Windows installations MUST use AD and not LDAP. This increases the reliance on Windows OS as well as AD products from Microsoft. 3rd parties have been effectively cut out of providing an alternative to AD. Yes, there is Novell, but Windows will never be as tightly integrated with Novell than it is with AD. So, once you've decided you like the features that AD provides, you have NO CHOICE but to go with an all Microsoft solution. How is this not anti-competitive?

Why must Windows update be run using Internet Explorer, and can never be run by any other browser?

(Since IE is supposed to be JustAnotherBrowser) Why can't we use Netscape, or Opera to do the same thing?

In terms of security, it would be MUCH better if Microsoft was broken up. This would encourage LESS tightly integrated products, which have been the main cause of almost all of the major virus outbreaks and worms in the past year. The excuse Microsoft likes to use is that they are the biggest target, so people who want to cause damage are naturally going to go after them. This argument is flawed since the Apache webserver has nearly DOUBLE the marketshare of IIS (<http://www.netcraft.com/survey/>), and IIS is what has been the main target of those worms. Using MS's logic, if hackers wanted to cause the most harm, they'd target Apache and not IIS. So why have they targetted IIS? Because it is full of security holes, where Apache is not. IIS is the easiest target simply because of that, it is easy to exploit. Apache is an open source product which is open to peer review, where IIS is not. Coincidence?

And now look at their plans with the X-Box—All in one media center for the home, directly tied into MSN.

Passport—one stop personal info database (which has already been hacked into once). Potentially one of the most valuable databases ever created, call controlled by one essentially unregulated, company, Microsoft, who has a horrible security record.

Microsoft is continuing to make the US court system look foolish (at best) by brazenly ignoring warnings, continuing to tighten their stranglehold on the US business place while this case has been ongoing. Is this how the court system is supposed to work? Bend over backwards for companies that break the laws over because it is more convenient? Microsoft is at the forefront of changing this country into an Orwellian society (if you think I am exaggerating, then just look at the key positions Big Brother Microsoft has in the media today, and realize that the direction they are headed is to force all roads to lead to Microsoft.) If you think that they do not have the money and power to do this, then you do not realize the importance of this Anti-trust case.

Jason Zawacki

MTC-00014984

From: Jemaleddin S. Cole
To: Microsoft ATR
Date: 1/23/02 7:21am
Subject: Microsoft Settlement

I've read through the conditions of the proposed Microsoft Settlement, and I find that it's a bad idea. It gives nothing to those harmed by Microsoft's flagrant violations of antitrust law (as defined Judge Jackson's finding of facts), it provides no remuneration to the public, and it does nothing to hamper further violations of antitrust law. Microsoft has shown time after time in court that their attitude to the law is one of flagrant disregard, if not merely flippancy. There is nothing in the settlement that will change their behavior, and to my mind a slap on the wrist such as this will merely encourage them to proceed in driving other businesses to extinction through anti-competitive practices. Jemal

MTC-00014985

From: Ross Lippert
To: Microsoft ATR
Date: 1/23/02 7:23am
Subject: Microsoft Settlement

I think the proposed settlement with MSFT is a very bad idea. They have stifled many innovations.

There is no point in developing new applications for popular computers while they are calling the shots, keeping API's closed, forcing OEM's to load their products, giving selective discounts to OEM's, and the most pervasive, engaging in gratuitous product tying.

r

MTC-00014986

From: OBrien Andrew
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 7:27am
Subject: Microsoft Settlement

I would like to add my voice to the process and say that the Microsoft Settlement, as currently structured, is a bad idea.

Andrew P. O'Brien
1619 Dauphin Ave.
Wyomissing, PA 19610

MTC-00014987

From: Dimi Shahbaz
To: Microsoft ATR
Date: 1/23/02 7:23am
Subject: Microsoft Settlement

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of its competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time
Dimi Shahbaz

MTC-00014988

From: Zero Sum
To: Microsoft ATR
Date: 1/23/02 7:23am
Subject: Microsoft Settlement

The proposed settlement neither makes up for past sins nor discourages current and future transgressions.

Justice must be seen to be done and this "settlement" could only be seen as an ominous travesty.

There must be scope for competition. Standards must be publicised and used.

Geoff Marshall

MTC-00014989

From: mconway
To: Microsoft ATR
Date: 1/23/02 7:24am
Subject: microsoft settlement

i believe the DOJ settlement proposed with microsoft in inadequate and does not address their abuses.

MTC-00014990

From: Anuj Arora
To: Microsoft ATR
Date: 1/23/02 6:47am
Subject: Microsoft Settlement

I think this settlement is a easy (and, pardon my saying so, lame) way for microsoft to buy their way out.

given the quality of their products (windows . . . anything) and the suppressiveness of their licensing schemes, this is neither right, nor fair to anyone.

~A

MTC-00014991

From: Casey McEnaney
To: Microsoft ATR
Date: 1/23/02 7:26am
Subject: Microsoft Settlement

My name is Casey McEnaney and I live in Oregon City, OR. I would like to take this moment to say that I believe that the proposed settlement is a very bad idea, and I believe that it will only serve as fodder for the company's reputation of anti-competitive and anti-consumer practices going into the future.

Thank you,
Casey

MTC-00014992

From: Pohlbel, Christian A, SOBUS
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 7:22am
Subject: Microsoft Settlement

I am writing to express my opinions regarding the propopsed judgement against Microsoft, in the ongoing anti-trust case. From what I have seen, the PFJ does not even begin to address the harm already caused, let alone preventing Microsoft from doing any further damage to their competition in the software arena.

I am a computer professional, and I've worked in this field for 8 years. In my career, I have worked extensively with the end-users of computer systems, answering their computer-related questions and helping them to resolve their computer problems. I also hold an M.S. in Information and Communication Sciences. As a result of these things, I have a strong, practical background on which to base my opinions, as well as an understanding of the business theories underlying competition in the technical arena.

In my opinion, the most serious threat to competition is Microsoft's control of their applied programming interfaces (APIs), and their absolute refusal to allow any other operating system to make use of these APIs. The use of these APIs is required for any competing operating system which hopes to be able to run software originally designed for Microsoft operating systems. At present, Microsoft controls the software market

because of the lock-in designed into their products, each product reinforcing their main product: Windows.

For example: a friend sends me a Microsoft Word document. To use this, I not only must have Microsoft Word (the same version), but also a Microsoft operating system on which to run Word. If I choose not to buy any Microsoft operating systems, I am unable to read documents created by Microsoft Word, even if I purchase that program separately! If the APIs required to run Word were publicly available, on the other hand, competitors could produce an emulator which would let me run Word on a different operating system (FreeBSD, for example, or Linux).

The PFJ does not address this need in an adequate fashion. The way in which APIs are defined makes it far too easy for Microsoft to completely ignore this requirement, and continue making it impossible for anyone to run a Microsoft product without the Microsoft operating system. Until the APIs are opened up to competitors, Microsoft will continue to be a monopoly. Once other operating systems can run MS Word, or MS Excel, however, competition will begin to creep into market, and consumers will ultimately benefit. To illustrate this with a similar case: if Intel had been allowed to prevent other chip manufacturers from running programs written for the Intel platform, AMD chips would not exist, and without competition between the two CPU makers, computer speeds would be far lower than they are today. Finally, please note from my email address that I am an AT&T employee. When AT&T was judged a monopoly in 1982, the company was split apart (a far more drastic step than the one proposed in the PFJ against Microsoft). The result of this has been strong competition in the long distance markets, where a monopoly could no longer be sustained by the stable customer base of the local carriers. In the local markets, however, because the decision in 1982 and the Telecom Act of 1996 were either overly lenient or not sufficiently enforced, Verizon, US West (now Qwest) and Bell South have retained effective monopolies in their regions. I believe that the steps taken against Microsoft should be designed to not only remedy the software giant's current monopoly, but also to prevent it from being able to easily re-establish one in the future. By making Microsoft's APIs public-domain property, MS would be forced to focus on providing a good product to win customers rather than relying on lock-in due to their existing position. If any existing Microsoft customer could freely migrate to a new operating system and continue to use their old Microsoft software, it will solve the major problem that many CLECs faced when trying to compete against the Baby Bells.

Thank you for taking the time to read this, and if you have any questions, please let me know.

Chris Pohlbel

MTC-00014993

From: pang@wt6.usdoj.gov@inetgw
To: Microsoft ATR
Date: 1/23/02 7:27am
Subject: Microsoft Settlement

I think the proposed settlement is a bad idea and not in the public's best interest. It

does very little to stop Microsoft from continuing its anti-competitive business practices.

Any questions or comments, please let me know.

Thanks,
Greg Panula
Network Security Guru
Dolan Information Inc
612-215-8312

MTC-00014994

From: Greg Baker
To: Microsoft ATR
Date: 1/23/02 7:29am
Subject: Microsoft Settlement

I am a non-current resident of the USA; I may or may not be a member of the "public" under the terms of the act, but I am a consumer of and implementor of Microsoft products.

I do see a problem with (III)D. Notably, Microsoft is only required to disclose APIs and documentation in order to support interoperation, and only to IAP, ICP, ISV etc. organisations.

There are two problems here: —generic systems implementors (who do not sell hardware and do not write their own programs) are "out on a limb". This constitutes a large number of the smaller consulting firms in the USA, in Australia and in most other countries. Such documentation of APIs and protocols is necessary and needed in order to help such companies install and configure ISV products, for example.

—the wording allows Microsoft to place restrictions on how the IAPs, ICPs, ISVs, etc. may use the information. For example, nothing prevents Microsoft from (for example) allowing access to the MSDN only to users who promise total secrecy (or only to those who pay large amounts of money). To continue ad absurdum, Microsoft could choose to make available the APIs to anyone willing to pay the billion-dollar-per-year fees for accessing the appropriate part of MSDN—i.e. exactly the same situation as exists at the moment.

My suggestion to improve (III)D would be "Starting at the earlier of Service Pack 1 for Windows XP or 12 months after the submission of this Final Judgement to the Court, Microsoft shall disclose documentation and APIs used by Microsoft Middleware to interoperate with the Windows Operating System Product. Such information will be made available in a free and unrestricted fashion to any individuals or organisations who request it, explicitly including their right to disclose it to other parties."

This above clause would bring Microsoft's development practices more in line with other software vendor's, such as Apple, IBM, Hewlett-Packard and the open source movements and would help redress the abuses of power that Microsoft have performed in the past.

Regards,
Greg Baker
The Institute for Open Systems
Technologies
Email: greg.baker@ifost.org.au

MTC-00014995

From: Tiberiu Atudorei
 To: Microsoft ATR
 Date: 1/23/02 9:29am
 Subject: Microsoft Settlement
 It is bad. . . no way

MTC-00014996

From: Christoph Henrici
 To: Microsoft ATR
 Date: 1/23/02 7:35am
 Subject: Microsoft Settlement

Dear Sirs,
 I think the Microsoft Settlement is still a very long way away from a truly competitive consumer, customer and citizen oriented market agreement, which we deserve. I am against the Microsoft Settlement, because it is essentially in the long run not consumer friendly. It does not address the basic and principle right of a citizen of the USA: having the ability to choose and also being able to change his choice. The settlement potentially makes Microsoft's control of the market even stronger, which it has gained through different illegal practices over many years. And this is one of the most essential technology fields today, which plays a crucial role in the evolution of the free world, which we are fighting for. The adequation is simple: How many Microsoft based desktops are being used today in comparison to competitors. Are there any real competitors? Is this the freedom of choice, which is so crucial for the functioning of the leading democracy of the world? Also there is a very strong threat, that Microsoft will not only dictate the desktop of USA, but also the server side of the market (ISP, ASP etc.) and the consumer market (PDA, Game consoles). So essentially Microsoft has put itself in the position to potentially dictate all essential aspects of the crucial technologies of our time, through breaking the law of our country. The settlement basically sanctions this. And this scares me being a humble citizen of our country.

Kind regards
 Christoph Henrici
 Im Bungert 10
 CH-8306 Brätisellen
 Switzerland

MTC-00014997

From: Adam Jones
 To: Microsoft ATR
 Date: 1/23/02 7:30am
 Subject: Microsoft Settlement

To Whom it May Concern,
 I feel that the proposed final judgement in the Microsoft anti-trust case is not sufficient to remedy the problem and should be redrafted. I am a software developer, and I am forced to use Microsoft tools and operating systems, as my customers all use this operating system. It is not possible for me to develop for my customers using any tools other than those provided by Microsoft, as they will not function properly on the Windows Operating System.

Steps must be taken to dismantle this monopoly of the operating system, and to make development for the Microsoft Operating Systems possible using tools and operating systems not provided by Microsoft.

There are two methods that I feel may properly remedy this situation. The first is to create an equal playing ground for developers by making the source code for all Microsoft Operating Systems available to developers. Microsoft would no longer be able to take advantage of insider knowledge of the operating systems to unfairly compete with third party products.

The second remedy would be to separate the operating system business units from the application business units. Microsoft continues to build applications that were once independent programs into the operating system, making competition with these programs all but impossible. A very good example is with Internet Explorer, but some highly overlooked examples are Windows Media Player, Notepad, WordPad, Calculator, and all of the tools which come bundled with the operating system. Microsoft can afford to give these products away for free as they are profiting from the sale of the Operating System. Competing software developers do not have this resource. By separating the two business units, Microsoft applications will be forced to compete on a somewhat more even playing ground.

In conclusion, I feel that the proposed final judgement in the Microsoft Anti-Trust case is not sufficient to solve the problem.

Thank You,
 Adam Jones
 14065 Ashlake Lane
 Fishers, IN 46038

MTC-00014998

From: Jim Burneff
 To: Microsoft ATR
 Date: 1/23/02 7:30am
 Subject: Microsoft Settlement

To whom it may concern,
 I would just like to say that I have examined the proposed settlement as put forth by the Department of Justice, and I am not in favor of it in its present condition. Please consider this a vote against the current settlement, as well as a vote to seek a decision that is more beneficial to Microsoft's customers and competitors, yet unfavorable to Microsoft.

D. James Burneff
 1508 Emerald Lakes Blvd.
 Powell, Ohio 43065

MTC-00014999

From: sean@emachine.redhandlocal.com @inetgw
 To: Microsoft ATR
 Date: 1/23/02 8:13am
 Subject: Microsoft Settlement

Hello,
 I am writing because I am very concerned about the current Microsoft settlement. I find it to be wholly inadequate and does very little to curb Microsoft's continued illegal use of its monopoly power. There are many problems with this settlement. The definition of API is too narrow. Many of the other proposed items are so restricted that they won't even apply to future versions of Windows based on Microsoft's already stated intent.

I urge that this proposed settlement be rejected and something far stronger be put in place.

Thanks for your time,
 Sean McCune
 President, Red Hand Software, Inc.
 mailto:sean@sean-mccune.com
 2709 Pearl Street
 Natrona Heights, PA 15065

MTC-00015000

From: Heidi Shanklin
 To: Microsoft ATR
 Date: 1/23/02 7:31am
 Subject: Microsoft Settlement
 The Microsoft Settlement is too little, too late. Do not let them do this.
 Heidi Shanklin
 Portland, OR 97209

MTC-00015001

From: David HM Spector
 To: Microsoft ATR
 Date: 1/23/02 7:33am
 Subject: re: Microsoft Settlement
 To Whom it May Concern:

I would like to express my dismay at what seems to be the Department of Justice's lack of seriousness with regard to the prosecution of and penalties to be applied to Microsoft Corporation for their blatant, repeated and unrepentant violations of our country's anti-trust laws. As an American citizen, and an independent software developer, my business has been immeasurably hurt by the predatory and illegal practices of Microsoft. If our country is to succeed economically in the 21st century it will be through innovation in Information Technologies.

That economic success and those future innovations are dependant upon a vibrant economy of ideas and products where companies compete on a level playing field and where Microsoft cannot through the force of its market presence suffocate anyone who might threaten their market share or where innovations are stolen and livelihoods destroyed to line the pockets of unrestrained monopolists.

I hope the US Government will "do the right thing" and apply the harshest possible penalties to Microsoft. The future is depending on it.

respectfully,
 David HM Spector
 Present & CEO
 Really Fast Systems, LLC
 David HM Spector
 President & CEO
 Really Fast Systems, LLC
 spector@zeitgeist.com/spector@really-fast.com
 voice: +1 631.261.5013
 Fax: +1 631.262.7497
 Supercomputer performance to get the job done.

Commodity pricing to make it affordable.

MTC-00015002

From: Graham Cruickshanks
 To: "Microsoft.atr(a)usdoj.gov"
 Date: 1/23/02 7:35am
 Subject: Microsoft Settlement

I would just like to say that I have read about the proposed settlement, and I am not in favor of it in its current state.

Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to

Microsoft's competitors, yet unfavorable to Microsoft.

I believe Microsoft has hurt the worlds software market, and should be split into Operating systems, and Middleware (Office, SQL server etc)

I also believe Internet Explorer should be open sourced, As It destroyed Netscape's browser illegally.

I also believe "ALL" the API's and protocols that Microsoft's software uses between its client and server should be documented and published. So other operating system can be clients and servers. i.e. Sun's Solaris, Red Hat Linux.

I also think that the latest version of Java should be bundle with the operating system. As they illegally tried to brake Java as a standard. Also they should be fined in the 10's of billions, and that cash used for a worthy cause. I would love to see that the money was used to find a cure to cancer.

Regards

Graham Cruickshanks

Technical Director

ItsNotRocketScience

64 Waterloo Street

Glasgow

Tel. +44 141 572 8800

Fax. +44 141 572 8810

<http://www.itsnotrocketscience.com>

grahamc@itsnotrocketscience.com

MTC-00015003

From: Jesse L. Morgan

To: Microsoft ATR

Date: 1/23/02 7:31am

Subject: Microsoft Settlement hello, I am a simple person.

I say this because I'm not a computer expert. I'm a college student. I'm a student who, because of the college

I attend, am forced to use Microsoft products. I personally think that Microsoft is a threat to not only the American people, but the world at large. Their anti-competitive practices has killed more than their share of competitors. When I was in high school, I got my first computer. I also for the first time had access to the internet. I used WordPerfect by Corel (killed by office) to write my first web page, which was written to work well in Netscape (killed by IE). I bring this up because these are two examples of an instance where I personally was affected by Microsoft. Both of these programs had great futures, but Microsoft's greed cut them short.

I've noticed that even the less computer savvy users are starting to notice that Microsoft has gone too far.

however, I noticed most are apathetic towards the thought of doing anything about it. So I've decided to throw in my two cents.

Short of complete dissolution, Microsoft will always be a threat due to the amount of wealth they've amassed. They'll always be able to buy less than honest politicians. They'll outlast or stall past different presidencies until they find one to their liking. I believe that the best alternative is to knock the company down from it's pedestal would be the best course of action. How?

(1). break them into 3 or more smaller companies.

(2). force them to open current and future API's (how the programs talk together)

(3). force them to make current and future formats open.

The third one is most important to me. each version of Word has used a different saving format, making it impossible for competitors to keep up.

To backtrack a little to how Microsoft could hurt the public, Security is one of the first things to come to mind. there are more virii written for Microsoft office than any other single application I can think of.

Microsoft's code is so buggy that even their "upgraded" version of a sound player is a security risk. Even our own government is writing virii (magic lantern) for the windows OS family.

No one is invincible; Microsoft shouldn't be either.

now's your chance to stop them.

Please put them in their place or they WILL replace our government with a digital dictatorship that has more power than any one government. as is, the already set more standards that we realize, and have more economical and political power than any one person will ever will.

Sincerely,

Jesse Morgan

MTC-00015004

From: Thomas and Denise Caudron

To: Microsoft ATR

Date: 1/23/02 7:33am

Subject: The MS Settlement Talks

As a member of the Information Technology community, an experienced programmer, a Microsoft-Certified Systems Engineer, and a voter, I ask that you seriously reconsider /any/ deal with Microsoft that does not substantially limit Microsoft's overwhelming influence in the industry. While I can appreciate that Microsoft must seek profit to satisfy its shareholders' interests, I have seen all too many good technologies sit unused because Microsoft employed unreasonable and illegal practices to leverage its current monopoly of the operating system to create new monopolies in other areas (C.f., the Microsoft Office suite, the Browser, etc. . .) and against its competitors (C.f., the former Be, Inc., the former Stac, Inc., the former. . . you get the idea).

Current settlement suggestions are NOT enough. Might I suggest that Microsoft be penalized heavily by forcing them to make good on their school offer, but instead of having them supply the schools with Microsoft software, force them to purchase hardware and use free software, like Red Hat Linux, perhaps even forcing them to purchase a support contract from Red Hat for the schools. That would give there competitors a leg up at Microsoft's expense. Just a thought.

Either way, I know the government is interested in limiting what Microsoft puts into the core operating system. I'd suggest that it concentrate on what Microsoft pulls out of the OS. for instance, adding the browser to the OS for free is fine by me, as long as they don't use it to crush all competition, then pull it back out and charge for it.

Perhaps the government should be permissive with what MS puts into their OS,

but stingy with what it allows them to pull out.

Thomas Caudron

2549 Oconee Avenue

Virginia Beach, VA 23454

caudron@digitalelite.com

MTC-00015005

From: David Mann

To: Microsoft ATR

Date: 1/23/02 7:33am

Subject: Microsoft Settlement

I am a US citizen and my SSN is 447-74-0714. I would like to register a complaint against the Proposed Final Judgement in that it does not come close to touching the real problem of Microsoft's anticompetitive nature.

For example, the license below does not restrict the user when using the software, but rather limits the rights of the user after the use of the software is complete. Example:

An artist encodes an original piece of music using the encoder. The Artist closes the encoder software. The artist would like to distribute hi/her music to as wide a range of listeners as possible. To do so, he/she packages the music with a player. At this time, the user is no longer using the software, and the data file created using the software is the property of the artist. The artist's right to distribute his own property is limited such that the artist does not have the freedom to bundle legally licensed software with his own property. The Microsoft Windows Media Encoder 7.1 SDK EULA states

. . . you shall not distribute the REDISTRIBUTABLE COMPONENT in conjunction with any Publicly Available Software. "Publicly Available Software" means each of (i) any software that contains, or is derived in any manner (in whole or in part) from, any software that is distributed as free software, open source software (e.g. Linux) or similar licensing or distribution models . . . Publicly Available Software includes, without limitation, software licensed or distributed under any of the following licenses or distribution models, or licenses or distribution models similar to any of the following: GNU's General Public License (GPL) or Lesser/Library GPL (LGPL); The Artistic License (e.g., PERL); the Mozilla Public License; the Netscape Public License; the Sun Community Source License (CSL); . . .

I strongly urge you to reject the Proposed Final Judgement against Microsoft.

Sincerely,

David Mann

David Mann

Global Solutions Architect

david.mann@matrixone.com

PGP Fingerprint: 8C80 0C44 B1FF E069

776B 6299 84EA DE7A F81C 199B

www.matrixone.com

MTC-00015006

From: Melvin Backus

To: Microsoft ATR

Date: 1/23/02 7:33am

Subject: Microsoft Settlement

I feel the proposed Microsoft settlement does little if anything toward correcting the problem, has almost no punitive value, and allows Microsoft to create an entire

generation of Microsoft "zombies" my allowing them to place their products in our school systems with governmental approval. Please, Just Say NO!

<mailto:melvin.backus@equorum.com>
Melvin Backus
Sr. Quality Assurance Specialist
770.671.0101

<<http://www.equorum.com/>> Visit us on the web!

MTC-00015007

From: Georges
To: Microsoft ATR
Date: 1/23/02 7:34am
Subject: Enough!

I am thoroughly disgusted to see Netscape and the 6 governors attempt to squeeze more money out of Microsoft. Enough is enough and any sensible judge(s) should throw them all out in the street to lick their wounds. Microsoft is not perfect but it certainly has most certainly contributed in making this country the most productive in the world. It has a lot more to offer . . . leave it alone!!

Georges Lepoutre
Knoxville, TN
CC:aoctp@aoctp.org@inetgw

MTC-00015008

From: Win Hill
To: Microsoft ATR
Date: 1/23/02 7:36am
Subject: Microsoft Settlement—oppose Dear Sirs,

I strongly disagree with the terms of the Proposed Final Judgment in United States v. Microsoft.

I am profoundly disappointed and disturbed by what can only be characterized as a complete collapse by the government. The proposed terms of the settlement do not serve to unfetter the market from Microsoft's anticompetitive conduct, nor do they terminate their illegal monopoly, nor do they deny to Microsoft the fruits of its statutory violation. And they completely fail to ensure that there remain no practices likely to result in monopolization by Microsoft in the future. Not only does the settlement fail to address the key issues in my opinion, it lacks effective enforcement mechanisms. For this reason, if no other, the settlement should be rejected.

Winfield Hill
36 Hall Road
Stoneham, MA 02180

MTC-00015009

From: Hal Roberts
To: Microsoft ATR
Date: 1/23/02 7:35am
Subject: Microsoft Settlement

I strongly oppose the currently proposed settlement of the Microsoft case.

The shape of our society is increasingly determined by the nature of the technologies we use, and many of the most important technologies are those related to computers and the Internet. The mechanisms for citizens to make decisions about important technologies are through government regulation and through the free market mechanisms of capitalism.

The facts of the Microsoft case have shown that Microsoft has blatantly flouted the law in extending its monopolistic control over

some of the most fundamental technologies of our society. Even more importantly, Microsoft has shown neither an understanding that its behavior is illegal nor an inclination to change its behavior in the future.

Microsoft currently has hugely disproportionate power over the nature of the most important technologies in our society. To allow the current state of affairs to continue is to disarm both the governmental regulatory and the free market controls that citizens wield over their technological lives. This settlement would allow a social pariah more control, in many ways, over our society than our deomcractically elected government.

The proposed settlement would do absolutely nothing to change the current state of affairs, since it has no built in mechanisms to enforce its provisions. Requiring Microsoft to open up its API's is one important step in reigning in its proven abuse of its monopoly.

However, the settlement provides no enforcement mechanisms to require Microsoft to change its behavior. In fact, if Microsoft chooses to ignore the requirements of the settlement, the only remedy will be to take Microsoft back to court. If the current case has shown anything, it has shown that the speed of the legal process makes it almost wholly unsuitable for regulating the technology industry (witness the death of the browser market while the current Microsoft case dragged one). Given that Microsoft (1) has been proven to act illegally in repeated instances, (2) has never admitted any degree of wrongdoing in its illegal acts, and (3) has repeatedly expressed the intent to continue the operation of its business as it sees fit, the most likely result of this settlement is the following. Microsoft will make, at best, nominal but ineffective efforts to follow the settlement provisions. Industry competitors will recognize Microsoft's illegal behavior and, within six months, encourage the government to file suit to require Microsoft to change its behavior. The current Microsoft case will be repeated over the next five years, after which time the government will agree to yet another settlement with unenforceable provisions, which Microsoft will once again blatantly ignore.

Please do not throw away this chance to give the citizens of our country a say the shape of their lives.

Sincerely,
Hal Roberts

MTC-00015010

From: Robert Fowler
To: Microsoft ATR
Date: 1/23/02 7:36am
Subject: Microsoft Settlement

Hello,

I am opposed to the settlement idea. It will not change the short or long term anti-competitive practices of Microsoft. I say this even though I hold 2 Microsoft Certifications and my main area of expertise puts me into daily contact with their server software.

Just another voice,
Robert Fowler

MTC-00015011

From: Lex Mierop

To: "microsoft.atr(a)usdoj.gov"

Date: 1/23/02 7:35am

Subject: Microsoft Settlement

This proposed settlement is BAD. It does little to punish an obvious violation of the Sherman Anti-trust Act. Penalties for violation are supposed to be punitive. This settlement is not.

For a full summary of the problems I have with this summary, please see <http://www.kegel.com/remedy/letter.html>

Thank you,
Lex Mierop

MTC-00015012

From: Sam Hill
To: Microsoft ATR
Date: 1/23/02 7:36am
Subject: Microsoft Settlement

To Whom It May Concern:

To date all of the remedies proposed in the anti-trust trial against Microsoft have fallen woefully short in punishing, or preventing further monopolistic behavior by a corporation that has demonstrated itself to be uncaring to the consumers it serves.

I submit that the most reasonable course to take would be trifold.

1) Fines must be levied: This would demonstrate that the DOJ and the American public hold Microsoft accountable for their past actions. As a company with over 30 billion dollars in cash reserves, any amount up to 8 billion dollars would serve to get their attention, while not amounting to a hardship to the company. These fines would be paid out within 5 years, with no provisions to extend the payment period allowed.

2) Open the code: Closed systems become poisoned systems, this is a fundamental truth in biology and applies to other systems as well. For more than a decade Microsoft has had ample opportunity to address fundamental issues with their computer operating system, including stability and security, and they have steadfastly refused to do so. The only way to insure that these, and other issues, are addressed, is to open their system to peer review. Only then will users enjoy stability, security and innovation in their daily computing experience once again.

3) Divorce Microsoft from the punishment phase of the proceedings: That they have been allowed to define and influence them is ludicrous, and has cast aspersions on the entire trial. Does a convicted felon get to tell the bench how s/he will serve their sentence? Get Microsoft and their lobbyists out of the way now and regain some measure of dignity to the proceedings.

The solutions are simple, their implementation complex, but time is of the essence. While the wheels of Justice are slow, the Internet and computer code are not. To allow more time to pass before assessing real punishment against Microsoft only gives the company additional opportunity to thumb it's nose at the proceedings, while fattening it's coffers and spinning the truth. As an American citizen I ask that you take action on my behalf, today.

Sincerely,
Sam Hill
Fort Worth, TX

MTC-00015013

From: -rb (Robert T. Brown)
 To: Microsoft ATR
 Date: 1/23/02 7:36am
 Subject: Microsoft Settlement

I strongly believe that the proposed Microsoft settlement is too favorable to the Microsoft Monopoly.

Hello. My name is Robert Brown and I'm a computer software engineer, living in Virginia.

The proposed settlement allows Microsoft to continue to grow their monopoly, at the expense of other companies and fellow hobbyists. Simply put, Microsoft (or any other rich and highly entrenched monopoly) can afford the most & best lawyers to find loopholes for the company to exploit. I acknowledge that eliminating loopholes is a difficult undertaking; however, we citizens rely on the government to do so (no one else can afford to take them on at this point).

I see many weaknesses in the settlement, and I'm not a even a lawyer. Many of the weaknesses are described in this document: <http://www.kegel.com/remedy/>

This monopolistic situation stifles innovation and competition, and is a serious threat to the continued growth of the computer industry. I personally believe that the computer industry has a chance to revolutionize society, and to reaffirm American leadership worldwide, as the industrial revolution once did. Please strengthen the settlement, for the sake of other American computer companies, and the American people as well.

-rb
<http://www.netmentor.com/rbrown>
 If "Real programmers use 'cat > a.out'."

MTC-00015014

From: Cathy Nicoloff
 To: Microsoft ATR
 Date: 1/23/02 7:37am
 Subject: Microsoft Settlement

Dear Sir/Madam,

I would like to enter my opinion into the record as being against the proposed settlement with Microsoft.

Specifically, I am upset to see that the terms of the settlement do not refer to the documentation of Microsoft's endless supply of proprietary file formats such as their Windows Media files,

Outlook mailboxes, Address books, Microsoft Office files, etc. These are a particular barrier to entry for any would-be software vendor, and this potentially knocks out of the market any competing products that would wish to edit/manipulate/import such files.

Also, the sloppy wording of the exemptions to disclosure allowed to Microsoft would mean that they might actually get away with refusing to disclose details about their operating systems and software due to "security reasons". I realize that vagueness might be necessary to cover all unforeseen circumstances a long way in the future, but I believe it is possible to make the entire document more specific and add a provision to allow changes at a later date (presumably after lengthy research and communication with the public).

Sincerely,

Catherine Nicoloff

MTC-00015015

From: Riskable
 To: Microsoft ATR
 Date: 1/23/02 7:38am
 Subject: Microsoft Settlement

I would just like to say that I have read about the proposed settlement, and I am not in favor of it in its current state. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors, yet unfavorable to Microsoft.

I hope the irony of using MS Hotmail to send this does not elude you.

Thank you,
 Daniel McDougall
 10 Prince St.
 Beverly, MA 01915

MTC-00015016

From: larryj@mindspring.com@inetgw
 To: Microsoft ATR
 Date: 1/23/02 7:37am
 Subject: Microsoft Settlement

I have reviewed the proposed Microsoft Settlement and would like to share my opinion regarding this lacking solution. This proposed settlement does not penalize Microsoft for past infringements of the law, and I am NOT in favor of it, in its current state.

Microsoft has been declared guilty of past wrongs, and must now be held accountable in some measure.

The current proposed settlement is unacceptable. Thank you for your time.

Sincerely,
 Larry Johnston
 4020 Dorchester Walk
 Kennesaw, GA 30144

MTC-00015017

From: Joe Klein
 To: Microsoft ATR
 Date: 1/23/02 7:34am
 Subject: Microsoft Settlement

** Confidential **

The proposed settlement is a bad idea.

Joe Klein, CISSP
 Information Security Consultant
 +1.904.403.4369

MTC-00015018

From: Keith Krabill
 To: Microsoft ATR
 Date: 1/23/02 7:38am
 Subject: Microsoft Settlement

Dear sir,

I disagree with the proposed remedy placed before the public for comment in the Microsoft antitrust trial. I am most bothered by the fact that there is no apparent penalty for the past misdeeds of the corporation, making it appear that there is no deterrent to future misdeeds, especially given that some of these failures came following the failure to abide by previous agreements. Further, the proposed weak oversight of the proposed agreement lacks real teeth, and does not inspire confidence that this mechanism would be effective either. Further, by working in secret, the oversight may be prone to undue influence.

Thank you for the opportunity to comment.

Keith Krabill

MTC-00015019

From: Rick Thompson
 To: Microsoft ATR
 Date: 1/23/02 7:38am
 Subject: Microsoft Settlement

I think the proposed settlement with Microsoft is a bad idea.

-Rick Thompson

MTC-00015020

From: Ian Zepp
 To: Microsoft ATR
 Date: 1/23/02 7:40am
 Subject: Microsoft Settlement

The following are my comments to the proposed Microsoft-USDOJ settlement. I am the CEO of a small real-estate development firm, and as a member of the financial sector, find myself using the Microsoft Office suite of programs for most of my daily activities. I would like to switch to using a non-MS office suite, but because of the large numbers of documents that we have saved in Word and Excel formats, I am unable to do so.

Microsoft has made it increasingly difficult over the past few years to use any competitive products, by keeping their document formats secret. For a smaller company this might not be a major grievance, but as Microsoft controls approximately 90% of the desktop market, their actions force me to continue using their products. Were I to switch to a competing product, I would be unable to interact with those who continue to use the Microsoft product.

I sincerely hope that the US Department of Justice reconsiders their proposed settlement.

Respectfully yours,
 Ian Zepp
 CEO, Zepp, Inc

MTC-00015021

From: Michael Dinsmore
 To: Microsoft ATR
 Date: 1/23/02 7:40am
 Subject: Microsoft Settlement-NO!

I vote NO! to the proposed Microsoft Settlement.

I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.

Michael D
mdinsmore@apple.com
Mac Genius@Clarendon VA
http://www.apple.com/retail/clarendon

MTC-00015022

From: ejfried@wt6.usdoj.gov@inetgw

To: Microsoft ATR

Date: 1/23/02 7:41am

Subject: Microsoft Settlement

To whom it may concern,

The proposed Microsoft settlement is inadequate for any number of reasons. It stops far short of ending the many predatory and monopolistic tactics that have put Microsoft into its current position. One tactic that is particularly galling to me, and that is not addressed by the settlement, is Microsoft's use of language prohibiting ISVs from distributing any "Freely Available" (i.e., Open Source) software along with (i.e., installed on the same machine as) any of several "redistributable components" that are typically installed as a part of Windows. This effectively bars ISVs from installing any Open Source software on any Windows machine they sell, and forces them to keep any value-added software they have developed as closed source.

From the Microsoft Windows Media Encoder 7.1 SDK EULA: . . . you shall not distribute the REDISTRIBUTABLE COMPONENT in conjunction with any Publicly Available Software. "Publicly Available Software" means each of (i) any software that contains, or is derived in any manner (in whole or in part) from, any software that is distributed as free software, open source software (e.g. Linux) or similar licensing or distribution models . . . Publicly Available Software includes, without limitation, software licensed or distributed under any of the following licenses or distribution models, or licenses or distribution models similar to any of the following: GNU's General Public License (GPL) or Lesser/Library GPL (LGPL); The Artistic License (e.g., PERL); the Mozilla Public License; the Netscape Public License; the Sun Community Source License (SCSL);

. . .
Ernest Friedman-Hill
Distributed Systems Research Phone: (925) 294-2154

Sandia National Labs FAX: (925) 294-2234
Org. 8920, MS 9012 ejfried@ca.sandia.gov
PO Box 969 http://herzberg.ca.sandia.gov
Livermore, CA 94550

MTC-00015023

From: Scott Johnson

To: Microsoft ATR

Date: 1/23/02 8:04am

Subject: Microsoft Settlement

At this point I believe that Microsoft is trying to buy itself out of a financial nightmare of it's own making. As an IT professional and a US citizen it's nearly impossible for me to support a settlement of this nature. Microsoft as a company has essentially slapped around it's competitors and forced the business community into paying them what amounts to a yearly random in the form of it's EULA's and stranglehold on business software "standards." To support this settlement

would be on the order of changing the name of this country to "The United States of Microsoft."

Thank you
Scott Johnson
Programmer and Developer
Rome, New York

MTC-00015024

From: gme@ellenburg.org@inetgw

To: Microsoft ATR

Date: 1/23/02 7:41am

Subject: Microsoft Settlement

I do not agree with the settlement.
George Ellenburg

MTC-00015025

From: Damian

To: Microsoft ATR

Date: 1/23/02 7:41am

Subject: Microsoft Settlement

I am deeply concerned with the proposed settlement regarding the Microsoft case. I cannot help but feel that through financial and political manipulation microsoft is getting away with corporate murder. After all, how many of you are using their software right at this minute. My guess 99%. Oh yeah, I bet you are reading this with Microsoft Outlook installed on a Microsoft Windows based machine.

Please reconsider the settlement to impose more strict measures on microsoft.

MTC-00015026

From: James Wartell

To: Microsoft ATR

Date: 1/23/02 7:40am

Subject: Microsoft Settlement

I am against the proposed final judgment in US vs. Microsoft. I feel the damage Microsoft has done to the software and OS marketplace is incalculable, and the proposed settlement does little to correct it. I don't feel the settlement levels the playing field for competing operating systems or office software, and would like to see a much stronger penalty imposed. The proposed settlement does not sufficiently relieve Microsoft of the ability to leverage hardware and computer manufacturers unfairly against competing products, nor does it adequately open the Windows API to programmers.

James Wartell
Tucson, Az

MTC-00015027

From: Homsher, Dave V.

To: "microsoft.atr(a)usdoj.gov"

Date: 1/23/02 7:39am

Subject: Microsoft Settlement

Sirs,

In Regards to the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Microsoft's business practices have stifled innovation and caused harm to most businesses in the United States through unfair licensing and shoddy workmanship. Unfortunately, businesses (and home users) do not have the opportunity to go somewhere else for their software needs because Microsoft has crushed any competition.

Microsoft has not noticeably changed it's business even after being found guilty of illegal monopoly practices.

I would like to encourage you to allow the best product to win, not the best leveraged product. Do not allow Microsoft to buy out/roll over the US Government. We have a government of the people, by the people, and for the people—not of, by, and for the monopolistic company.

Thank you for your time.

Best Regards,

Dave Homsher, II

MTC-00015028

From: John Bettiol

To: Microsoft ATR

Date: 1/23/02 7:40am

Subject: Microsoft Settlement

I think the proposed Microsoft settlement is a bad idea.

I am a developer for a Java / Linux / Microsoft based company.. I do not wish to see the freedom of our company overridden by the future dominance of Microsoft.

Regards,

John Bettiol

WorldLingo

MTC-00015029

From: David VandeVen

To: Microsoft ATR

Date: 1/23/02 7:41am

Subject: Microsoft Settlement

Microsoft stifles innovation. If a single individual were to engage in this kind of suppression of progress and engineered software with flaws because it was profitable they'd be facing criminal charges. If an individual causes harm to others he is removed from the public.

The proposed settlement is a slap on the wrist, it does not protect the public from Microsoft's frighteningly draconian practices.

-David Van de Ven

Network Engineer/Software Developer

MTC-00015030

From: Andrew Gray

To: Microsoft ATR

Date: 1/23/02 7:40am

Subject: Microsoft Settlement

Pursuant to the Tunney Act, I wish to submit my comments regarding the Proposed Final Judgement for the Microsoft Settlement.

I do not feel that the Proposed Final Judgement goes far enough, or even truly makes a reasonable attempt at slowing Microsoft's anti-competitive practices, more less stopping them all together. I would like to see a final settlement with Microsoft at least stop their current, ongoing, rampant monopolistic behavior, and ideally punish them for having behaved like that. The current proposed settlement does neither, due to the phrasing of many paragraphs in the settlement giving Microsoft numerous loopholes to escape the already loose restrictions. As it has shown in the past with previous injunctions, Microsoft has the resources and the desire to do just this, and will do it again.

Andrew Gray
Las Vegas, NV

MTC-00015031

From: Van Den Bergh Guy

To: "microsoft.atr(a)usdoj.gov"

Date: 1/23/02 7:39am

Subject: Microsoft Settlement

Hi there,
I am not a US citizen, but nevertheless, this issue has consequences for European citizens too. I think the current settlement is far too easy on Microsoft. You say they did something illegal, but you are not really punishing them, and you're not even making really sure they won't do this again.

Best regards,
Guy Van Den Bergh

MTC-00015032

From: Nunayer@aol.com@inetgw
To: Microsoft ATR
Date: 1/23/02 7:41am
Subject: Microsoft Settlement

Let me add my voice to those OPPOSING the Proposed Final Judgment. While I don't pretend to understand completely all the legal nuances, I DO understand that Microsoft effectively holds a monopoly on the home/corporate desktop. Competition = good, monopoly = bad, for all of us.

Thank you,
Michael Smith

MTC-00015033

From: Bart Raatgerink
To: Microsoft ATR
Date: 1/23/02 7:39am
Subject: Microsoft Settlement

Over here in Europe we also think it's a very bad idea —

Met vriendelijke groeten,
Bart Raatgerink.
eMAXX B.V.
Marssteden 98
P.O. Box 157
7500 AD Enschede
The Netherlands
tel. +31 53 484 83 21
fax. +31 53 484 83 23
http://www.emaxx.nl

MTC-00015034

From: Tommie Giles
To: Microsoft ATR
Date: 1/23/02 7:43am
Subject: Microsoft Settlement

I would just like to say that I have read about the proposed settlement, and I am not in favor of it in its current state. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors, yet unfavorable to Microsoft.

Thank you,
Tommie E. Giles
3600 N. Chouteau
Apt. D
Kansas City, MO. 64117

MTC-00015035

From: Greg.Foster@3x.com@inetgw
To: Microsoft ATR
Date: 1/23/02 7:43am
Subject: Microsoft Settlement

The proposed settlement against Microsoft for their predatory monopolistic practices is very weak and ineffective. I strongly opposed the proposed settlement. Microsoft illegally abused their monopoly position, and they should be punished just like AT&T and IBM were punished when they abused their monopoly positions in the past.

Greg Foster
Senior Consultant—3X Corporation
Collaborative Computing Solutions
614-433-9406
greg.foster@3x.com
http://www.3x.com

MTC-00015036

From: samorgan@mindspring.com@inetgw
To: Microsoft ATR
Date: 1/23/02 7:43am
Subject: Microsoft Settlement

I would just like to say that I am not in favor of the current proposed Microsoft settlement. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors, yet unfavorable to Microsoft.

Thank you,
Scott Morgan
1102 Hoover Street
Annapolis, MD 21403

MTC-00015037

From: pfharlock
To: Microsoft ATR
Date: 1/23/02 7:43am
Subject: Microsoft Settlement

My name is Gary Watson. I wouldn't have known to send this email if I had not been reading slashdot, which I feel is a little irresponsible in a case that primarily involves a matter of public interest, (like an antitrust trial). That being said, I would like to voice my complaint about Microsoft being found guilty of breaking antitrust law and not being punished. Your effectively saying, yup, that's them, they're definately a monopoly, but heck if we know what to do about it. The situation is just as bad as it was before the trial began, or maybe even worse because it gives microsoft an even greater reason to believe that the law will never touch them.

It was at one time suggested that microsoft be cut up into 3 companies, this would do nothing but turn a monopoly into a collective oligopoly, I say that you should cut the company up into no less than 10 seperate competing companies, giving each one the rights to make and produce the windows OS code, each possibly developing a seperate shoot off of windows, and certainly break away all the peripheral arms from the part of the company that does OS design primarily, (ie seperate out the network applications division like IE but which also includes the web servers and the newest .NET component which is slated to kill any chance of competition all over again, the MS office division, the games division, effectively dismantle the marketing division, and let each company take a few members of the marketing team with them as they walk out the door). This would solve the problem, but after this trial I am in doubt if the courts have the resolve to see such an action through.

It appears as though they are completely apathetic to having antitrust laws in the first place.

MTC-00015038

From: Salvador Gonzalez
To: Microsoft ATR
Date: 1/23/02 7:44am
Subject: Microsoft Settlement

Dear Sirs,

I would just like to say that I have read about the proposed settlement, and I am not in favor of it in its current state. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors, yet unfavorable to Microsoft. I hope the irony of using MS Hotmail to send this does not elude you.

Thank you,
Salvador I. Gonzalez
185 Kensington Road
Lynbrook, NY 11563

MTC-00015039

From: Peter J Nesbitt
To: Microsoft ATR
Date: 1/23/02 7:44am
Subject: Microsoft Settlement

Dear Government

In regards to the Microsoft's antitrust case, i write you to respect me and every other individual. Microsoft is one of the noblest companies around. They create and create more. There is ZERO reasons why sucess is bad. Unfortunately, by trying to "break up Microsofts" stanglehold of the marketplace", you will break the backs of citizens like me. In a time of war, especially teenager's like me, need heroes not martyrs. Microsoft is my hero and always will be. All the other companies who cried "abuse" are not for the simple fact of this. Instead of create, the attempt to destroy. Instead of produce, they politic. This is not what we want our businesses to do. In order to have a stable marketplace, we need people to create. By putting the creators out of business, you only hurt us all. I write this in order to plea for a lesser sentence for Mircrosoft. When the government gets to big, the only way to fight it is words. In a world you attempt to create with a heavy hand over Microsoft's ability, you are making a world of looters. Ones who do it legally, ones who work in your Department. Just keep my thoughts in mind.

Peter Nesbitt
2012 S. Cambridge Ave
Sioux Falls SD, 57106
CC:activism@moraldefense.com@inetgw

MTC-00015040

From: mheyese@lincolnpf.com@inetgw
To: Microsoft ATR
Date: 1/23/02 7:44am
Subject: Microsoft Settlement

I think the proposed settlement is a bad idea.

MTC-00015041

From: Chris
To: Microsoft ATR
Date: 1/23/02 7:44am
Subject: Microsoft Settlement

I feel the proposed settlement is not adequate

MTC-00015042

From: T.E.
To: Microsoft ATR
Date: 1/23/02 7:46am
Subject: Microsoft Settlement

The PFJ doesn't take into account Windows-compatible competing operating systems

Microsoft increases the Applications Barrier to Entry by using restrictive license

terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry.

The PFJ Contains Misleading and Overly Narrow Definitions and Provisions

The PFJ supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered.

The PFJ supposedly allows users to replace Microsoft Middleware with competing middleware, but it defines "Microsoft Middleware" so narrowly that the next version of Windows might not be covered at all.

The PFJ allows users to replace Microsoft Java with a competitor's product—but Microsoft is replacing Java with

.NET. The PFJ should therefore allow users to replace Microsoft.NET with competing middleware.

The PFJ supposedly applies to "Windows", but it defines that term so narrowly that it doesn't cover Windows XP

Tablet PC Edition, Windows CE, Pocket PC, or the X-Box—operating systems that all use the Win32 API and are advertized as being "Windows Powered".

The PFJ fails to require advance notice of technical requirements, allowing Microsoft to bypass all competing middleware simply by changing the requirements shortly before the deadline, and not informing ISVs.

The PFJ requires Microsoft to release API documentation to ISVs so they can create compatible middleware—but only after the deadline for the ISVs to demonstrate that their middleware is compatible.

The PFJ requires Microsoft to release API documentation—but prohibits competitors from using this documentation to help make their operating systems compatible with Windows.

The PFJ does not require Microsoft to release documentation about the format of Microsoft Office documents.

The PFJ does not require Microsoft to list which software patents protect the Windows APIs. This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users.

The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft

Microsoft currently uses restrictive licensing terms to keep Open Source apps from running on Windows.

Microsoft currently uses restrictive licensing terms to keep Windows apps from running on competing operating systems.

Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which could run a Microsoft operating system—even for computers running competing operating systems such as Linux! (Similar licenses to OEMs were once banned by the 1994 consent decree.)

The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft

Microsoft has in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems.

The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs

The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

The PFJ allows Microsoft to discriminate against small OEMs—including regional "white box" OEMs which are historically the most willing to install competing operating systems—who ship competing software.

The PFJ allows Microsoft to offer discounts on Windows (MDAs) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas.

The PFJ as currently written appears to lack an effective enforcement mechanism.

I also agree with the conclusion reached by that document, namely that the Proposed Final Judgment as written allows and encourages significant anticompetitive practices to continue, would delay the emergence of competing Windows-compatible operating systems, and is therefore not in the public interest. It should not be adopted without substantial revision to address these problems.

All of this seems to be too little too late. If this was any other Company there would be more to this. I guess that since it is MS and they make more money than GOD this makes it OK.

I look at the AT&T Case and wonder where the Justice has gone! To me, just a poor little guy, it seems that MS has all the balls in their court as they always have had and nothing in the Final Settlement will change this.

At this rate MS will keep doing things their way, which is not legal, and the consumers' don't get what they have been paying for for YEARS. Windows XP is the best example of this. MS pushes this out the door and down the consumers' throats saying that it is the BEST they have ever done. But in fact it is sloppy bug ridden code that should still be in BETA TESTING, not being sold to the public.

Thanks for your time.

Thomas E. Enstall

MTC-00015043

From: Dave Spicer

To: Microsoft ATR

Date: 1/23/02 7:47am

Subject: Microsoft Settlement

Please judge Microsoft by its actions, not the pronouncements and maneuverings of its army of lawyers. I would expect Microsoft to say anything it thought people wanted to hear in order to pursue its own agenda.

Along with the privileges of a near-monopoly position come responsibilities. Microsoft has a long history of valuing the former far above the latter. The consequences have already been enormous. Please seek a fair remedy to this situation. . .

David Spicer

599 N. Louisiana Ave. #84

Asheville, NC 28806

MTC-00015044

From: Anand Srivastava

To: Microsoft ATR

Date: 1/23/02 7:46am

Subject: I am against the Microsoft Settlement

Hi,

I am very much against this settlement. It doesn't do any good to the public. Any good settlement must contain at least some of the following:

1) Force open the API's of the Operating Systems and Data Formats. This is the crux of their monopoly. If this is not opened up properly, Microsoft will continue doing what they have till now. Don't for a time think they have any morals.

2) Do something about their .net strategy.

They want to be the gateway to the Internet. It will affect everybody, there will be no freedom. In addition look at the following document for an in-depth reason about what is wrong with the settlement.

<http://www.kegel.com/remedy/letter.html>

Well, I don't live in the USA. But still this is a big problem for us in my country. USA tends to force their policies down the throats of people in other countries. It's like misery loves company so the USA tries to send its misery abroad.

Thanks,

—Anand

MTC-00015045

From: Mark Proctor

To: Microsoft ATR

Date: 1/23/02 7:46am

Subject: Microsoft Settlement

To: Renata B. Hesse

Antitrust Division

U.S. Department of Justice

601 D Street NW

Suite 1200

Washington, DC 20530-0001

I work for Cisco systems within the UK, while not being a US citizen this case has far reaching proportions and will effect the IT industry on a global scale. I would right pages and pages of how I think the current settlement does nothing to re-balance the wrongs of Microsoft, I have included just a few of these detailed briefly below.

Windows Bundling—The Microsoft Tax

I use GNU/Linux a free operating system. The fact that I cannot buy without great difficulty a machine, from one of the main computer dealers, without a copy of windows is disgusting—you try buying a dell desktop machine, a great computer, without a copy of windows, they just will not do it and I will not pay extra for something that I will not use.

Proprietary Formats, Protocols and API

Microsoft's proprietary formats, such as their famous .doc word documents, and SMB file sharing protocol not forgetting their kerberos extensions are affronts on society—they at every single point hold back society technological development and create customer "lockin" by not allowing interoperability. I believe that all formats, protocols and APIs should be open and that closed proprietary ones should be made illegal—there are never any reasons for this other than customer lock in.

Artificially Narrow Restrictions

It is vital when enforcing these that no loopholes are available by artificially narrow restrictions. The open source movement—

including products like OpenOffice, Wine, Samba, Kerberos and Linux—are on the verge of ushering in a new technological era—it is vital that any remedies specifically look after the interests of these projects, that exist for no other reason that public benefit and not corporate greed, and ensure they are capable for getting full unrestricted access and use to these formats, protocols and APIs.

These are my own words, but I would like to add that I strongly agree with everything with the following open letter.

<http://crossover.codeweavers.com/mirror/www.kegel.com/remedy/letter.html>

Yours Sincerely,
Mark Proctor Beng, Msc
80 Harefield Road,
Uxbridge, Middx,
UB8 1PL
UK

MTC-00015046

From: Steve Clark
To: Microsoft ATR
Date: 1/23/02 7:52am
Subject: Microsoft Settlement

To whom it may concern:

I feel that the current proposed settlement does not go far enough in penalizing Microsoft for the predatory anti-trust behavior.

Sincerely,
Stephen E Clark
2780 Cottonwood Ct.
Clearwater, FL 33761
727-796-9371

“They that give up essential liberty to obtain temporary safety, deserve neither liberty nor safety.” (Ben Franklin)

“The course of history shows that as a government grows, liberty decreases.” (Thomas Jefferson)

MTC-00015047

From: Dave Stoddard
To: Microsoft ATR
Date: 1/23/02 7:48am
Subject: Microsoft Settlement

I have been active in the computing field since before the beginning of the PC era. I have seen Microsoft reach too far into the cookie jar on numerous occasions only to be tapped on the wrist when someone had the courage or the legal support to challenge them.

Should you not institute severe penalties on them and force them to completely restructure the way they do business, it would be a grave disservice to the state of computing and to your office.

My opinion only,
David Stoddard.

MTC-00015048

From: Michael Plump
To: Microsoft ATR
Date: 1/23/02 7:47am
Subject: Microsoft Settlement

I would like to register my dissatisfaction with the current form of the Microsoft settlement. I don't feel that the settlement does enough to provide reparations for those companies that were harmed by Microsoft's monopolistic anti-competitive behaviour.

More importantly, I don't believe the settlement does enough to ensure that they will cease their illegal actions. Even after

they were found guilty (and then reaffirmed guilty by the appeals court), they continued to engage in unfair and anti-competitive behaviour.

I believe that this hastily proposed settlement does very little to stop these actions in the future, and also does little in the way of creating means for a competitor to the Windows and Office platforms to emerge. Obtaining a better settlement is in the national interest. Without it, we will be locked into a single company to provide a critical part of our national infrastructure.

Michael Plump
1422 SE 28th Ave.
Portland, OR 97214

MTC-00015049

From: tredolfi@drtusa.com@inetgw
To: Microsoft ATR
Date: 1/23/02 7:47am
Subject: January 23, 2002

Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I travel internationally quite extensively. But no matter where I go, I am almost assured that I will find the quality and reliability of the Windows operating system. Microsoft is a top-notch company; it is one that should be able to continue with its business without being hindered at every step by an overly complex legal settlement.

The company already has agreed to numerous concessions; it has made changes with regard to intellectual property rights, server inoperability, and a uniform price list. The proposed settlement is absolutely adequate to serve the interests of the computer industry and the buying public. Microsoft has indicated its willingness to engage in a fair, competitive business environment.

I would argue that it is now time for the federal government to also conduct itself in a fair and reasonable manner. No more action should be taken on a federal level to penalize Microsoft. It should be allowed to resume its important work of keeping America as the most technologically advanced nation in the world.

Thank you for your time.

Sincerely,
Donald (Tony) Redolfi
Technical Services/Account Manager—
Asia

Dayton Reliable Tool & Mfg. Co.
618 Greenmount Blvd.
Dayton, Ohio 45419 U.S.A.
Tel: +937-298-7391 ext. 223
Fax: +937-297-6740
E-mail: tredolfi@drtusa.com

MTC-00015050

From: peter
To: Microsoft ATR
Date: 1/23/02 7:46am
Subject: Microsoft Settlement
To: microsoft.atr@usdoj.gov
Subject: Microsoft Settlement
To: Renata B. Hesse
Antitrust Division
U.S. Department of Justice

601 D Street NW
Suite 1200
Washington, DC 20530-0001

Under the Tunney Act, we wish to comment on the proposed Microsoft settlement. We agree with the problems identified in Dan Kegel's analysis (on the Web at <http://www.kegel.com/remedy/remedy2.html>), namely:

The PFJ doesn't take into account Windows-compatible competing operating systems??

Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry.

The PFJ Contains Misleading and Overly Narrow Definitions and Provisions

The PFJ supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered.

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The PFJ supposedly applies to "Windows", but it defines that term so narrowly that it doesn't cover Windows XP Tablet PC Edition, Windows CE, Pocket PC, or the X-Box—operating systems that all use the Win32 API and are advertised as being "Windows Powered".

The PFJ fails to require advance notice of technical requirements, allowing Microsoft to bypass all competing middleware simply by changing the requirements shortly before the deadline, and not informing ISVs.

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and universities) charge by the number of computers which could run a Microsoft operating system—even for computers running competing operating systems such as Linux! (Similar licenses to OEMs were once banned by the 1994 consent decree.)

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The PFJ allows Microsoft to discriminate against small OEMs—including regional “white box” OEMs which are historically the most willing to install competing operating systems—who ship competing software.

The PFJ allows Microsoft to offer discounts on Windows (MD As) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas.

The PFJ as currently written appears to lack an effective enforcement mechanism. We also agree with the conclusion reached by that document, namely that the Proposed Final Judgment as written allows and encourages significant anticompetitive practices to continue, would delay the emergence of competing Windows-compatible operating systems, and is therefore not in the public interest. It should not be adopted without substantial revision to address these problems.

Sincerely,

Dan Kegel, Los Angeles, California;
Software Engineer, kegel.com

Jeremy White, Saint Paul, Minnesota;
President & CEO, CodeWeavers, Inc.

David Dittrich, Seattle, Washington;

Member, The Honeynet Project

Jay Beale, Baltimore, MD; President, JJB Security Consulting

Dave Wreski, Upper Saddle River, NJ;
Director, Guardian Digital, Inc.

Rik Farrow, Sedona, Arizona; Security Consultant

Robin Miller, Bradenton, Florida; Editor, Linux.com

Trevor Johnson, Gardena, California;
Software Engineer; Contributor, FreeBSD Project

Gary Calvin, Los Angeles, California;
Systems Administration Manager, Kenwood Americas Corporation

Clay J. Claiborne, Jr., Los Angeles, California; President, Cosmos Engineering Company;

Founder, lula.org

Ismet Kursunoglu, MD, Manhattan Beach, CA; Founder, linuxatlx.org

Dallas Legan, Downey, California; Member, linuxatlx.org

Michael Fair, Los Angeles; Member, linuxatlx.org

Art Johnson, Los Angeles, California;
Member lula.org, linuxatlx.org, CSC-SERC

Ron Golan, Los Angeles, California;
Member, lula.org

Ryan Boder, Columbus, Ohio; Student,
Carnegie Mellon University

Bill Huey, San Diego, CA; Software Engineer

Brandi Weed, Davis, CA; Consultant
Brad O'Hearne, Irvine, CA; Software Engineer

Amber Jain, Los Angeles, CA; Graduate Student, USC

Brian Lau, Huntington Beach, CA; Software Engineer, Gordian Inc.

Peter Boothe, Laguna Beach, CA; Software Developer, Gordian Inc.

Greg Barnes, Seattle, Washington; Software Engineer, UW

Brian Redfern, Los Angeles, CA; Linux Programmer

Ken Settle, Newport Beach, CA; Software Developer, TransMedia Productions, Inc.

Ian Hall-Beyer, Prairie Village, KS; Consultant

Roger Partridge, West Chester, PA; software development manager; member, IEEE

Drew Poulin, Edmonds, WA; Translator, Sole Proprietor, TransCom Japan

Scott Call, Santa Rosa, CA; Network Engineer

Igor Furlan, San Jose CA; IC Design Engineer, National Semiconductor

James Richard Tyrer,
Green Valley, AZ; Consultant; Member, ACM

Dan Trevino, San Antonio, TX; President, bluemagnet, 11c

Jim Belant, Pulaski, Wisconsin; Electrical Engineer, System Engineer

David Mandala, Phoenix AZ; President, THEM Productions

Jeremy Green, Norman, OK; CTO, Digital Commerce Solutions

David Ford, Meriden, CT; Blue Labs Software

John G. Hasler, Elmwood, Wisconsin; Debian Developer

Evan Edwards, Palm Beach, FL; Vice President, Inforule Inc.

Sinan Karasu, Seattle WA; Electrical/Software Engineer, bozuk.com

Mary Pat McDonald, Phoenix, Arizona; Educator, Cartwright School District

Robert Bercik,
Washington DC; Computer Science,

Georgetown University Robert Helmer, E1 Cerrito, CA;

Systems Administrator, Namodn

Deanna Thompson, Las Vegas, Nevada; System Administrator

MTC-00015051

From: Dawson Jerry U (Rick) CNIN

To: "microsoft.atr(a)usdoj.gov"

Date: 1/23/02 9:40am

Subject: Microsoft Settlement

The proposed settlement is a bad idea. The main point of the trial was to restore competition. While that has somewhat taken care of itself, in my opinion, the only way to totally restore the competition would be to take away Microsoft's ability to restrict dual-booting of operating systems installed on OEM machines. Plus, making sure that the entire API is open. The sentence in the settlement that gives an exception to opening up API calls in the case of security leaves the

whole thing toothless. Security experts have shown that an operating system would be more secure if it was open and reviewed for security breaches anyway.

Rick Dawson

MTC-00015052

From: Vikram Sunkavalli

To: Microsoft ATR

Date: 1/23/02 7:48am

Subject: Microsoft Settlement

This proposed settlement is a bad idea.

MTC-00015053

From: M Grossmann

To: "microsoft.atr(a)usdoj.gov"

Date: 1/23/02 7:48am

Subject: Microsoft Settlement

I am opposed to the proposed remedies in the Microsoft case, as are various States' Attorneys General and millions of users and consumers. The US Court of Appeals agreed "unanimously" that Microsoft had illegally kept its monopoly position, yet the proposed remedies do little to address the past wrongs and nothing to prevent further, similar actions by Microsoft.

Without a Special Master, there will be no enforcement of any remedies laid out, which means that in a few years, DOJ will have to sue Microsoft again. Even if Microsoft's methods are changed, the structure already in place will continue to work in their favour, much as in the AT&T case through 1984.

There is nothing in the settlement proposals addressing the improperly-obtained monies explained in Remedies Brief of Amici Curiae (Civil Action No. 98-1232 (TPJ)), <http://www.econ.yale.edu/nordhaus/homepage/Final%20microsoft%20brief.pdf>. Are criminals not required to return illegal gains?

For these and many other reason, I voice my strongest opposition to the proposed remedies.

Sincerely,

M W Grossmann

Opinions expressed herein are my own. They are not, and should not be construed to be, the beliefs of or condoned by my employer.

MTC-00015054

From: mmasino@mitre.org@inetgw

To: Microsoft ATR

Date: 1/23/02 7:48am

Subject: Microsoft Settlement

I would like to add a comment on the Microsoft Settlement. Microsoft has a history of partaking in dubious (and illegal) processes in order to maintain and build it's monopoly and diminish and remove competition. Yet, every single occurrence of such practices being questioned and challenged has led to, at most, a slap on the wrist for Microsoft. And, by the time everyone has finished the debate over whether they had specifically set out to squash competition unfairly, said competition has already disappeared or has been reduced to an ineffectual remnant of itself. In essence, Microsoft's actions are generally successful once they drag out legal proceedings and debate. The challenge that the DOJ settlement faces is not to simply punish Microsoft for its practices—a slap on the wrist, but to chastise them and then force

changes which will rectify what Microsoft's actions have wrought.

I am concerned that the settlement not only lacks any really punishment for Microsoft, but, more importantly, does very little to rectify the damage done by its actions. All that it seems to do is give Microsoft the option of choosing what they wish to disclose to whom so that they can be considered to be playing nice with others. Nothing in the ruling requires them to disclose enough details about their Office suite or OS to truly allow others to build software to interact or compete. Microsoft may have to reveal some information, but they get to choose what and to whom. In fact, the settlement would legalize Microsoft withholding information to some groups—such as any group not considered a business. Then, should anyone complain, they can hold up the settlement, their “punishment and rules of conduct” and point out that they are being such a good little company in following the rules.

I just wanted to express my disappointment with what seems to be an ineffectual settlement. I am not saying that Microsoft necessarily needs to be split up or obliterated. But perhaps something which actually seeks to rectify the problems would be better. . .

—Mike Masino

MTC-00015055

From: Michael Poole
To: Microsoft ATR
Date: 1/23/02 7:51am
Subject: Microsoft Settlement

I would like to comment on the proposed Microsoft settlement, and how it fails address the monopoly abuses perpetrated over and over by Microsoft Corporation.

One of Microsoft's oldest tactics in its battle to thwart the government and bleed more money out of consumers is by changing its business just enough for old anti-trust remedies to no longer apply. The proposed settlement has several weaknesses that Microsoft could exploit in this way, many hinging on their (already announced) migration to the .NET platform.

For example, “Microsoft Middleware” is defined to exclude code that Microsoft ships as part of a “Windows Operating System Product” but which would otherwise fulfill the role of a current “Microsoft Middleware” product. Microsoft has announced that the .NET framework will be included in future versions of Windows, and that it is moving its applications to use .NET. The settlement appears to allow Microsoft all its old tricks with .NET.

Further, “Windows Operating System Product” is defined to only apply to code for “Personal Computers,” and specifically includes server product lines, handheld computers, and set-top boxes (areas where Microsoft is currently expanding its reach—for example, my Compaq iPAQ handheld runs Windows CE and cannot interoperate with Linux over USB because Windows CE uses a non-public communications interface; this would not stand if Microsoft were not the dominant desktop OS vendor). The settlement allows Microsoft to define what does and does not constitute a Windows Operating System Product.

There are many other flaws in the proposed settlement which allow Microsoft to aggressively exploit its monopoly position, to the harm of consumers and competitors alike. Others have pointed them out; I will omit them, to keep this letter brief.

Sincerely,
Michael Poole
Reston, Virginia

MTC-00015056

From: Jon Hartwell
To: Microsoft ATR
Date: 1/23/02 7:52am
Subject: Microsoft Settlement

I am writing to add my statement that I think the proposed Microsoft settlement is an EXTREMELY bad idea. It is quite obvious to me that Microsoft is demonstrating that it is exactly the monopoly that it was proved to be in federal court. I see daily signs of how MS wants to monopolize further areas of current markets and push its products and ideas onto the PC, music, broadband, and gaming markets. I really urge you to consider a severe judgment in this case. I do not want to see a country under the rule of MS and its will.

Jon Hartwell
jh2bm@acegroup.cc

MTC-00015057

From: Morrow, David L
To: “microsoft.atr(a)usdoj.gov”
Date: 1/23/02 7:50am
Subject: Microsoft Settlement

I am very disturbed that the DOJ settlement with Microsoft seems to do nothing to prevent Microsoft from continuing to incorporate into its operating system anything it wants. Microsoft thereby appropriates to itself valuable desktop real estate and denies others an equal chance to compete.

Microsoft also keeps many of its interfaces and formats a secret which also denies others the opportunity to work with its operating system on an equal basis.

The simplest solution would have been to break the company into three parts: operating systems, software applications, internet service.

MTC-00015058

From: Jean-Claude Bourut
To: Microsoft ATR
Date: 1/23/02 7:51am
Subject: Microsoft Settlement

Dear Sir,

To an average software engineer like me, it takes days to figure out how to configure my computer using Microsoft operating system, so probably it is even worse for you or any nonskilled person using a pc. As a result, people follow the easy path of using whatever is already pre installed on their computer. Since ONLY Microsoft defines what is bundled with the OS, people use Microsoft solutions. This gives a Microsoft controlled OS (try to find a PC with Linux+Windows), a Microsoft controlled browser, a Microsoft controlled ISP: aka MSN, and generally the death of all competitors that do not have an alternate source of founding. As long as Microsoft is allowed to use its monopoly on the PC as a launching pad to new markets, there cannot

be any fair competition and people will pay too much for old product.

It is sad to see the US Justice Department allowing a proven guilty Microsoft to run business as usual with the release of Windows XP. Only a solution that creates a stone wall between the successful businesses and the new business of Microsoft would allow competition to flourish. MSN, webTV, Xbox business should belong to different companies without any technical, marketing or shareholder ties.

As far as penalty is concerned, mass replication of software costs zero, the only thing that matters is money or jail or both.

Regards,
Jean-Claude Bourut

MTC-00015059

From: Bob Bryant
To: Microsoft ATR
Date: 1/23/02 7:51am
Subject: Microsoft Settlement

I have read and listened to the pros/cons of the proposed Microsoft Settlement, and am NOT in favor of it. It must be amended. The settlement does not, in any way, penalize Microsoft for its past transgressions of the law. For many years, OEMs have been under control of this corporation and will continue to be unless a meaningful and just penalty is adjudged. Microsoft has been declared guilty of past wrongs for the second time, and must now be held accountable in some measure. As you can see I believe that the current proposed settlement is unacceptable.

Thank you for your time.

Sincerely,
Robert Bryant
10592 Alderson Ave.
Garden Grove CA

MTC-00015060

From: Imad
To: Microsoft ATR
Date: 1/23/02 7:53am
Subject: Microsoft Settlement

Dear Sir or Madame,

I would like to take just a moment to share my views on the current proposed Microsoft anti-trust settlement. It is my opinion that the proposal, as it now stands, is a slap—nay, a pat—on the wrist approach that fails to truly allow competition in those areas where Microsoft has abused its monopolistic powers.

First and foremost, Microsoft must be forced to make its APIs, file formats, and protocols totally and unequivocally open. As it stands, there is far too much ambiguity in the clause pertaining to this—as interpreter of the document, Microsoft can well claim that, say, Linux developers are not to have this information shared with them as they do not represent a commercial product. Likewise, there is too much leniency granted by the exclusion of remote Windows 2000 administration related protocols. Many of these protocols—SMB/CIFS, for example—are used indirectly for Windows 2000 remote administration but are also crucial for creating products that are interoperable with Windows 2000 server. The “Reasonable And Non-Discriminatory” licensing terms hurt Microsoft's biggest competition—the open-source/free-software movement that has

given us Linux, OpenBSD, Mozilla/Netscape, OpenOffice, KOffice, and the like. All standards, API calls, protocols, etc. MUST be open for these valued members of the software community.

Futhermore, the document must be revised to remove the mess of loopholes that exist which allow Microsoft to obey the word of the settlement without conforming to its spirit of non-discriminatory behavior. As it stands, Microsoft can ignore much of the document as it is riddled with technical loopholes. For example, Microsoft is able to force PC makers to associate internet content with Internet Explorer, word processing documents with Microsoft Word, and the like—removing shortcuts doesn't change the underlying behavior when a user clicks on a text document or an internet link. The three-member enforcement crew has two members picked or approved by Microsoft itself, nullifying any usefulness of the group, especially when coupled with the fact that none of the members are allowed to speak of the atrocities they see committed by Microsoft. Such litigation is absurd and meaningless, but could be salvaged by revising the terms of the settlement to preserve the spirit but allow less leeway to Microsoft, which has a history of twisting or disobeying court orders.

Lastly, Microsoft's non-operating system groups must be either internally or externally seperated so that they are not allowed "backdoor" entrance to the operating system; the Microsoft Office team should have the same information on operating system-related APIs and protocols as does the competition (e.g., Corel's WordPerfect Office team, Sun StarOffice team, KDE's KOffice team).

Thank you for your time. —
Best,
Imad Hussain
CC:magius@purdue.edu@inetgw

MTC-00015061

From: GH
To: Microsoft ATR
Date: 1/23/02 7:53am
Subject: Spank Microsoft. . .

Sir or Madam,

Below you will find email correspondence with Connecticut Attorney General, Richard Blumenthal. He mentioned that I could also state my opinion to this body as well. That opinion follows directly after the "GH wrote:" section below.

Before you get there, however, I would like to make one addition to what I have stated below. I would like to see Microsoft forced into releasing a version of Windows without Internet Explorer welded to the operating system. I mean totally removed, not uninstallable, not leaving "stubs" of functionality hidden, totally removed. Of late, Internet Explorer's inclusion has caused no end of grief as we must constantly patch the browser if we want to remain secure on the Internet. Since there is little technical reason, if any, to bolt the OS and browser together, I feel Internet Explorer's removal would actually lead to more secure systems "out of the box". This holds true for all current desktop and server versions of the Windows product. Simply put, the Internet

Explorer browser, as provided and bolted to Windows, is an insecure addition to an already insecure operating system that satisfies Microsoft's strategic goals while causing more work for systems administrators and exposing millions of consumers world-wide to compromised security.

It is time that Microsoft shoulders the burden for all the ills they have visited upon a thriving Information Technology industry and its consumers.

Thanks for your time,
Geoffrey Harnett
IT Engineer.

— Richard Blumenthal <attorney.general@po.state.ct.us> wrote:
Date: Wed, 09 Jan 2002 11:44:51 -0500
From: Richard Blumenthal <attorney.general@po.state.ct.us>
To: GH <g—harnett@yahoo.com>
Subject: Re: Spank Microsoft. . .
GH wrote:

Sir or Madam,

In no way do I agree with the proposed DOJ settlement with Microsoft. There are simply no teeth and rest assured, any settlement that Bill Gates is comfortable with is flawed. The only options that will prevent Microsoft from futher hindering competition and abusing its monopoly are those that will hurt. I feel the measures presented by the hold-out states will be more effective as a punishment and deterrent than what has been decided by the DOJ.

However, I think there should be one more area in which Microsoft should be scrutinized. Its code. Specifically, has Microsoft enhanced Windows and application functionality by unlawfully using GPL'd (or other open source licensed) code without adhering to the particular license mandates and in effect, stealing it? There should be a mechanism that allows open source license holders, via a trusted third party, to inspect Windows code in a safe room for infringement on open source code. If caught violating any licensed code they should be sued for damages, which essentially forces them to release their "enhanced" code under the violated license. I feel that Microsoft's abject dislike of the GPL license can be directly attributed to fear of being caught using code distributed under that license in Windows yet not freely redistributing enhanced code as the license requires.

Microsoft has proven themselves wholly untrustworthy in business and in the courtroom. If they will lie in Federal court without any remorse then they will certainly abuse open source licenses for their gain.

Thanks for your time,
Geoffrey Harnett
IT Engineer
http://greetings.yahoo.com
Dear Mr. Harnett:

Thank you for your recent thoughtful correspondence concerning the Microsoft antitrust case.

As you know, on November 6, 2001, the United States Department of Justice and Microsoft filed a proposed settlement. I did not join that settlement because I do not believe it would accomplish the goals we set when we filed the case. Nor would it

accomplish the remedial goals set by the U.S. Court of Appeals: (1) to prohibit the illegal conduct and similar conduct in the future, (2) to spark competition in this industry; and (3) to deprive Microsoft of its illegal gains.

You may also express your opinion to the judge of the federal trial court considering this settlement by filing written comments with the United States Department of Justice by January 28, 2002, as follows:

Mail: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

[NOTE: Given recent mail delivery interruptions in Washington, DC, and current uncertainties involving the resumption of timely mail service, the Department of Justice strongly encourages that comments be submitted via e-mail or fax.]

E-mail: microsoft.atr@usdoj.gov

In the Subject line of the e-mail, type "Microsoft Settlement."

Fax : 1-202-307-1454 or 1-202-616-9937

Please keep me informed of your opinions on the case.

Thank you again for contacting me. —

Sincerely,
Richard Blumenthal
Attorney General

MTC-00015062

From: Tobias Johansson
To: Microsoft ATR
Date: 1/23/02 7:52am
Subject: Microsoft Settlement

I think the proposed settlement, excuse my language, sucks.

Tobias Johansson
webdeveloper
Resfeber Sweden AB
www.resefeber.se
www.reisefeber.no
www.rejsefeber.dk

MTC-00015063

From: Kermit Woodall
To: Microsoft ATR
Date: 1/23/02 7:52am
Subject: Microsoft Settlement

I think the proposed settlement is woefully insufficient and fails to address some of the most problematic areas of Microsoft's behavior.

Kermit Woodall
Nova Design, Inc.

MTC-00015064

From: Andrew Jeavons
To: Microsoft ATR
Date: 1/23/02 7:55am
Subject: Microsoft Settlement

To whom it may concern.

The proposed settlement by the US government with Microsoft is not in the interests of consumers in the USA. Microsoft has consistently abused its position of dominance in the marketplace and this settlement will do nothing to change this. This settlement is a bad idea and should not go forward.

sincerely
Andrew Jeavons

MTC-00015065

From: peter
To: Microsoft ATR
Date: 1/23/02 7:52am
Subject: Microsoft Settlement

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of its competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.

MTC-00015066

From: peter
To: Microsoft ATR
Date: 1/23/02 7:53am
Subject: Microsoft Settlement

Dear Sirs:

I am writing to give my comments on the Microsoft antitrust settlement. I believe this settlement is counter to the interests of the American public, deleterious to the American economy, and not adequate given the findings of fact in the trial.

Microsoft's anti-competitive practices are counter to the law and spirit of our free-enterprise system. These practices inhibit competition, reduce innovation, and thereby decrease employment and productivity in our nation. Microsoft's monopolistic practices cause the public to bear increased costs and deny them the products of the innovation which would otherwise be stimulated through competition.

The finding of fact which confirmed that Microsoft is a monopoly requires strict measures which address not only the practices they have engaged in in the past, but which also prevent them from engaging in other monopolistic practices in the future.

It is my belief that a very strong set of strictures must be placed on convicted monopolists to insure that they are unable to continue their illegal activities. I do not think that the proposed settlement is strong enough to serve this function.

MTC-00015067

From: Eric Kobrin
To: Microsoft ATR
Date: 1/23/02 7:55am
Subject: Microsoft Settlement

The proposed settlement with Microsoft is ridiculous. Microsoft has shone again and

again that it DOES NOT follow the rules. They always find a loophole. They released their most anti-competitive OS ever, Windows XP, during the antitrust case. Windows XP forces casual users to buy new software—it suggests Microsoft software of course. If you open any older applications, it presents a dialog box telling you that it may be unstable and that they should upgrade. I have never found this statement to be true. I helped a woman who was in fits over those dialog boxes. Power users and computer consultants know to delve deeper. There is a button that disables the messages and lets you use the software you already own; but most casual users are startled by the warning and just stop using their software. During the antitrust case, Microsoft also removed Java from their OS, thus preventing much cross-platform software from flourishing. They are effectively requiring that if you want to develop for Windows, you must develop programs that run ONLY on Windows, using Microsoft tools of course. What company will develop cross-platform software in Java if they know it won't run under XP with out serious user intervention? Companies deciding between Java and C# will be more likely to use C#—creating yet another piece of software that runs only on Windows and reducing the appeal of other operating systems. Microsoft also released a new version of their Internet Explorer web browser that is incompatible with software developed for other browsers or by other companies. Eventually, other companies were able to rewrite their software to be compatible, but not until Microsoft had embedded their own software using the knowledge that other companies would need to learn the new API whereas Microsoft wrote the API. For example, the new Explorer broke compatibility with Apple's cross-platform multi-media standard Quicktime. Of course compatibility with Microsoft's own competing Windows Media player was never broken. Quicktime is a free and open standard that has lost popularity because of this.

Microsoft IS anti-competitive. The courts agree. Competing developers have known this for a decade. They have not obeyed previous anti-trust rulings. They created more anti-competitive software during the current anti-trust case. The pattern will not stop until Microsoft is either broken up or has their charter revoked. If they were broken up, competitors like Apple would not have to compete against Microsoft developing plug-ins for their own software before anyone else can as they did with Windows Media Player in Internet Explorer. My favorite remedy, but an unlikely one considering Microsoft's massive campaign contributions to both parties is for their charter to be revoked. Yes, their charter should be revoked. The source code should be put in the public domain. In that upheaval, dozens of not hundreds of other companies would be given the chance to flourish. Microsoft is like a giant tree overshadowing hundreds of saplings. Pruning the behemoth (breaking them up) would help a little, but cutting the whole tree down would let everyone compete on an even playing field.

Eric Kobrin

eric@spotgrafix.com
305-595-5646

MTC-00015068

From: Munir Nassar
To: Microsoft ATR
Date: 1/22/02 7:26pm
Subject: Microsoft Settlement

I would like to exercise my rights and comment on the proposed settlement in the US vs. Microsoft case. It was proposed by Microsoft that they donate Computer Hardware and software to schools as a punishment for their illegal monopolistic actions. When I was younger a punishment was something that I would remember, usually through pain, either physical or emotional. I, and I would think nobody else, was ever punished by getting gifts. It may seem tempting to take Microsoft up on their offer as it would cost them Millions if not Billions of dollars. But it would also distribute the Windows Operating system to thousands of students expanding Microsoft's monopoly. Additionally the K-12 educational market has always been Apple Computers' best selling market. To accept this judgement would cause great and maybe even irreparable harm to Apple Computers.

A lot of people believe the proposed settlement is a great thing for our school system as it would bring computers into the hands of the students. A distributor or the Linux Operating System has proposed that Microsoft supply the hardware and RedHat supply the operating system as a suitable punishment. The idea has merit but I propose a small change. Have Microsoft supply a computer to every student in every public school in the country, a move that should liven the economy a bit. And give the schools an option on what type of computer this would be and what operating system, be it RedHat, Linux, Debian GNU/Linux, BeOS, OS/2, QNX or MacOS just to name a few.

In the operating system market there are many companies that market an alternative to Microsoft's Windows, but Microsoft's anticompetitive practices have kept these alternatives from the hands of the public. It would be fitting that the punishment allow competitors into the playing field.

In short, I think the proposed settlement is a bad idea and I am strongly against it.

-Munir

MTC-00015069

From: Frederick Haab
To: Microsoft ATR
Date: 1/23/02 7:56am
Subject: Microsoft Settlement

As a professional computer programmer for 10 years (20 as a hobbyist), I must express my disappointment with the current state of the "Microsoft Settlement". Understanding you are probably receiving hundreds, if not thousands of responses, I will simply say that the current conditions of the settlement are too little, too late. They do nothing to adequately punish or dissuade Microsoft from using unfair business practices in the future. If nothing else, we must learn from the past—the settlement in '95 did NOT work. This settlement, as written, will NOT work. You must look forward to the future of the industry and prepare for the possible

abuse of monopoly power, not simply "band-aid" past transgressions.

Frederick Haab,
Atlanta, GA,
Software Engineer,
Turner Broadcasting.
Frederick Haab
(fred.haab@turner.com)
Turner Studios: Redefining Excellence

MTC-00015070

From: al_t@mindspring.com@inetgw

To: Microsoft ATR

Date: 1/23/02 7:57am

Subject: Microsoft Settlement

To Whom It May Concern:

I strongly disagree with the proposed settlement in the Microsoft antitrust trial for reasons outlined below. I strongly encourage you to bring substantially more severe sanctions against the company to curb its anticompetitive practices.

The remedy is insufficient for these reasons:

The proposed remedy doesn't take into account Windows-compatible competing operating systems.

Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the proposed remedy fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry.

The proposed remedy Contains Misleading and Overly Narrow Definitions and Provisions.

The proposed remedy supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered.

The proposed remedy supposedly allows users to replace Microsoft Middleware with competing middleware, but it defines "Microsoft Middleware" so narrowly that the next version of Windows might not be covered at all.

The proposed remedy allows users to replace Microsoft Java with a competitor's product—but Microsoft is replacing Java with .NET. The proposed remedy should therefore allow users to replace Microsoft.NET with competing middleware.

The proposed remedy supposedly applies to "Windows", but it defines that term so narrowly that it doesn't cover Windows XP Tablet PC Edition, Windows CE, Pocket PC, or the X-Box—operating systems that all use the Win32 API and are advertised as being "Windows Powered".

The proposed remedy fails to require advance notice of technical requirements, allowing Microsoft to bypass all competing middleware simply by changing the requirements shortly before the deadline, and not informing ISVs.

The proposed remedy requires Microsoft to release API documentation to ISVs so they can create compatible middleware—but only after the deadline for the ISVs to demonstrate that their middleware is compatible.

The proposed remedy requires Microsoft to release API documentation—but prohibits competitors from using this documentation to help make their operating systems compatible with Windows.

The proposed remedy does not require Microsoft to release documentation about the

format of Microsoft Office documents. The proposed remedy does not require Microsoft to list which software patents protect the Windows APIs. This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users.

The proposed remedy Fails to Prohibit Anticompetitive License Terms currently used by Microsoft. Microsoft currently uses restrictive licensing terms to keep Open Source apps from running on Windows. Microsoft currently uses restrictive licensing terms to keep Windows apps from running on competing operating systems. Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which could run a Microsoft operating system—even for computers running competing operating systems such as Linux! (Similar licenses to OEMs were once banned by the 1994 consent decree.)

The proposed remedy Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft. Microsoft has in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems.

The proposed remedy Fails to Prohibit Anticompetitive Practices Towards OEMs

The proposed remedy allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

The proposed remedy allows Microsoft to discriminate against small OEMs—including regional "white box" OEMs which are historically the most willing to install competing operating systems—who ship competing software.

The proposed remedy allows Microsoft to offer discounts on Windows (MDAs) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas.

The proposed remedy as currently written lacks an effective enforcement mechanism. As a taxpayer and consumer, I demand the government take immediate action to abandon this settlement and seek strong corrective action against Microsoft that addresses the above issues.

Sincerely,
Al Thompson

MTC-00015071

From: Jim Power

To: Microsoft ATR

Date: 1/23/02 7:56am

Subject: Microsoft Settlement

The proposed settlement sends a very cynical message to the general public: anti-trust enforcement, even for the most egregious of offenders, can be killed by the proper political contributions. The current proposal, does nothing to alter Microsofts future actions or punish its past ones. Microsoft has a history of manufacturing phony grass root efforts. I would imagine that any comments you receive in favor of the settlement are heavily weighted by Microsoft PR firms masquerading as private citizens,

or Microsoft employees sending from a non.microsoft account.

Specifically, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.

-James M. Power

MTC-00015072

From: Robert Crable

To: Microsoft ATR

Date: 1/23/02 7:57am

Subject: Microsoft Settlement

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.

Robert Crable
Assistant Research Engineer
Research Instruments Electronics Shop
Chemistry Department
The Pennsylvania State University
148 Davey Lab
University Park, PA 16802
Phone: 814-865-0254
Fax: 814-863-5319
Email : RMC@chem.psu.edu

MTC-00015073

From: ranieri@argentina.org@inetgw

To: Microsoft ATR
Date: 1/23/02 7:55am
Subject: Microsoft Settlement

I would like to urge the government to prosecute this case as far as possible utilizing the penal system. Settling will be interpreted as a sign of weakness and a sign that the United States of America is willing to tolerate monopolies.

In my opinion, this constitutes a dangerous precedent.

Sincerely yours,
Ranieri Argentini

MTC-00015074

From: Felix, Frances
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 7:57am
Subject: Microsoft settlement

Please, please, please! find a strong, effective way to enforce the Microsoft settlement. I believe that Microsoft has gone on for far too long in beating down and preventing competitors. The problem I see is that if you do not find a way to enforce it, this settlement will be like the Telecommunications act of 1996. Right now, the incumbent phone companies drag their feet and halfway comply constantly. They get fined, but continue to resist. This resistance and all the obstacles they put in front of competitors has been a large factor in all the DSL companies' bankruptcies. I believe that Microsoft will do the same thing. They will resist fully complying. They will drag their feet and they will try to get away with as much as they can. They are the top dog right now and will resist giving up any of their advantages.

Fran Felix
Covad Communications
NOC Liaison Specialist
Cube 4410 Java Place
Manassas, VA
Cube: 703-530-2182

MTC-00015075

From: Mark Wilson
To: Microsoft ATR
Date: 1/23/02 7:57am
Subject: Microsoft Settlement

Dear Sir or Madam,

I am writing to comment on Microsoft settlement. It is my belief that Microsoft needs to be broken up into two separate companies. They have a 90% market share in the operating system industry, and this will remain after the proposed settlement. Microsoft should be broken into 2 parts, an operating systems company (to produce windows) and a software applications company (to produce MS Office). The software applications company should then be required to release versions of every major program it produces for at least 2 non-Microsoft operating systems. This is the only way to restore competition to the market without severely hurting the computing industry.

Thank you for your consideration,
Mark Wilson

MTC-00015076

From: Charles Hood
To: Microsoft ATR
Date: 1/23/02 8:03am
Subject: Microsoft Settlement

According to the Tunney Act, I have the opportunity to comment on the proposed Microsoft settlement. In brief, I think its a bad idea. Specifically, I think the Proposed Final Judgement contains definitions that are too narrow and perhaps misleading. For example, "API" is so tightly defined that it might exclude APIs used by the Microsoft Installer for installing software on Windows. Please reconsider.

Thank you.
Sincerely,
Charles Hood
Roswell, GA

MTC-00015077

From: James Tedrick
To: Microsoft ATR
Date: 1/23/02 7:59am
Subject: Microsoft settlement

Like many citizens, I utilize an Intel computer. I use this computer for a variety of purposes, including academic research, personal business and entertainment. Again, like many people, I have followed the proceedings of the Microsoft antitrust trial with interest. Upon reviewing the proposed settlement, I find it inadequate on many counts. It will allow Microsoft to continue its dominance by creating significantly different software (in a manner similar to the migration from Windows 3.1 to Windows 95). Secondly, the definition of API is overly narrow, and third party operating systems are not allowed to utilize these APIs. Finally, this settlement does not address the licensing of other Microsoft applications, which create a de facto barrier to entry by barring their use either with or on third-party operating systems (I am specifically referring to the End User Licensing Agreements of the Microsoft Windows Media Encoder 7.1 SDK and Microsoft Visual C++ applications).

Sincerely,
James Tedrick

MTC-00015078

From: Knoll, Jim
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 7:59am
Subject: Microsoft Settlement

I believe the proposed settlement remedies in the Microsoft antitrust case do not go far enough in protecting consumer rights.

With Microsoft's .NET initiative, I believe a failure to adequately restrain Microsoft's anticompetitive behavior will negatively impact innovation, quality and choice for computer hardware and software consumers.

Regards,
James D. Knoll

MTC-00015079

From: Steve Goldsby
To: Microsoft ATR
Date: 1/23/02 8:03am
Subject: Microsoft Settlement

I would like to comment on at least one area of the proposed settlement, and how it clearly does very little to restrict Microsoft's monopolistic tendencies. The proposed judgement prohibits certain behaviors by Microsoft towards OEMs, but simultaneously allows the following exclusionary practices: Section III.A.2. allows Microsoft to retaliate against any OEM that ships Personal

Computers containing a competing Operating System but no Microsoft operating system.

Section III.B. requires Microsoft to license Windows on uniform terms and at published prices to the top 20 OEMs, but says nothing about smaller OEMs. This leaves Microsoft free to retaliate against smaller OEMs, including important regional "white box" OEMs, if they offer competing products. Section III.B. also allows Microsoft to offer unspecified Market Development Allowances—in effect, discounts—to OEMs. For instance, Microsoft could offer discounts on Windows to OEMs based on the number of copies of Microsoft Office or Pocket PC systems sold by that OEM. In effect, this allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas, such as office software or ARM-compatible operating systems.

By allowing these practices, the Proposed Judgement is encouraging Microsoft to extend its monopoly in Intel-compatible operating systems, and to leverage it into new areas.

Please take action to ensure the ability of other businesses to compete in this space.

Steve Goldsby, CEO
Integrated Computer Solutions, Inc.
www.integrate-u.com <http://
www.integrate-u.com>

MTC-00015080

From: Clark Rawlins
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:00am
Subject: Microsoft Settlement

Dear Sirs/Madams,

I am writing to say that I think that the proposed settlement to the anti-trust case that Microsoft has lost doesn't have enough teeth in it to preclude Microsoft from abusing its Monopoly power. In my own company I see evidence that Microsoft continues to use its dominance in the desktop operating system arena to extend its influence in other areas of computing, in particular in the embedded systems arena.

I think that the best solution would be to break Microsoft into three separate companies, all of which have full rights to all of Microsoft's Intellectual property. Furthermore, I think that the current officers and primary shareholders of Microsoft should be barred from owning shares in more than one of these three companies.

I realize that my solution will probably not be considered, however I don't think that the current proposal has enough teeth to keep Microsoft from repeating its abuse of monopoly power.

Sincerely
Clark Rawlins
Senior Engineer
Network Services Engineering
OpenGlobe, Inc.
(An Escient Technologies Affiliate)
6325 Digital Way
Indianapolis, IN 46278
317-616-6574
crawlins@openglobe.net

MTC-00015081

From: Beth E. Johnson
To: Microsoft ATR

Date: 1/23/02 8:01am

Subject: Settlement

I am opposed to the current proposed Microsoft settlement. I believe that by the government-sanctioned flood of Microsoft supplied hardware and software into the educational market that the government would be handing Microsoft a significant portion of the educational market for free. I thought that the original action was brought on behalf of *consumers; * consumers like me who bought licenses to use Microsoft products that crash and take my data down with them, that insist on placing themselves on my desktop until I forcibly remove them with a third-party program, who choose to use a better, faster web browser (Opera) but are still forced to let MS Internet Explorer reside on their hard disks because it is required to install security patches and bug repairs to the leaky and fault-ridden products; consumers who run home networks with Linux and Microsoft operating systems to can expect SAMBA connectivity to go down the tubes with every new version of Windows.

My kids already have computers in their school; nice, stable Apples. I wouldn't wish Microsoft computers on any school anywhere. The proposed settlement does nothing for Me and the damage I have suffered. Make Windows Update available without MSIE, open up the APIs so more programs can work with Windows, insist that Windows play nice with other operating systems. That would help me. regards,

Beth Johnson
93 Clayton St.
Springfield, MA 01107 USA —
Beth Johnson
Springfield, MA USA

This message was created and sent completely independent of Microsoft products.

No electrons were harmed in the making of this message.

MTC-00015082

From: David Battle
To: Microsoft ATR
Date: 1/23/02 8:03am
Subject: Microsoft Settlement

I think you are letting Microsoft off far too easily. How is letting them provide equipment to train school children that Windows is the One True Way going to help competition?

Sincerely,
David L. Battle
204 Golfclub Rd
Knoxville, TN 37919-5924
+1 865 588 7763

MTC-00015083

From: Garrett
To: Microsoft ATR
Date: 1/23/02 8:01am
Subject: Microsoft Settlement

The current proposal for the Microsoft settlement will not prevent Microsoft from staying a monopoly in the computer industry. Microsoft employees are spreading this around as “. . . a victory over the government.” If the government shows they are incapable or unwilling to stop Microsofts monopoly over the software industry, who else is there to stand in Microsofts way?

Since the trial has started Microsofts grip on ISP's and hardware vendors has slowly loosened up for fear of how it would be represented in the case against them. Once Microsoft accepts the current settlement they will go back to their previous methods of forcing the industry to accept their software and force out competitors, but it is not their previous methods the software industry is only worried about. By receiving the current settlement this will show the industry that even the government and it's laws cannot stop Microsoft's monopoly. Microsoft will be able to expand their practices beyond strict EULA's, enforcing proprietary “standards” and harassing/buying out small companies. They will be able to stretch more laws, find more loopholes and choose more “un-ethical” business means knowing that the most powerful system that could have stopped them was not powerful enough.

Once again I say that the DOJ and US government should be putting a stop to Microsofts monopoly. By forcing them to release their file formats, source code, protocols or something similar that will allow other companies to compete with them. But the current settlement simply shows that the government no longer has the power to enforce the laws that control our capitalist country.

Garrett Banuk
44 Pleasant St.
Cambridge, MA
02139

MTC-00015084

From: jason.c.miller@home.com@inetgw
To: Microsoft ATR
Date: 1/23/02 9:06am
Subject: Microsoft settlement

If you're going to read any mail. . . read this one please.

Please * * * allow me to briefly tell you how tired I am of Microsoft and their practices * * *

INNOVATION:

They use the word “innovation” as if they coined it themselves. The Truth of the matter is that they haven't really ever innovated anything. Every big product that they've ever had was either based on an idea concocted from someone else or was material that they forcibly extracted by crushing another company.

SECURITY: ‘Security’ and ‘Microsoft’ are two words not often found in the same sentence. I try to fun as much open-source software as I can because I know that if a bug is found, then an army of programmers around the world will flock to fix it by the next day. Microsoft's idea of security is to bribe the world into not vocalizing bugs that they find with MS software. Do I REALLY need to give examples here? How many billions of dollars did businesses lose and how much information was forcibly removed from MS-run sites in the last two years alone by using Microsoft products such as Passport and Internet Information Server? They try to force their products on the rest of the world by using some pretty nasty tactics; the only problem is that their software is inferior.

COMPETITION:

Microsoft has come out with a very interesting method of competing with other

viable software solutions. Why should they be motivated to make a better product when they could spend their time lobbying congress for favors or forcing subversive contracts on to the OEMs to crush the resistance to the Microsoft machine.

BOTTOM LINES:

They were found guilty. Why haven't they been punished? I was always under the impression that settlements were for people to decide upon BEFORE a verdict was reached and not after a finding of ‘guilty’ was found. Also . . . I like CHOICES ON MY SOFTWARE. MICROSOFT OFFERS NONE. And. . . if I'm going to have software forced on me, I want it to AT LEAST BE GOOD SOFTWARE. Competition is born of companies competing with each other and thus improving. MS has found ways around this process and still comes out on top. If you folks let them get away with this, then I guess I really will never understand our government and how they could let a travesty like this happen. Thank you for your time.

MTC-00015085

From: raschend@newsguy.com@inetgw
To: Microsoft ATR
Date: 1/23/02 8:01am
Subject: Microsoft Settlement

I believe that the proposed settlement is not in the best interests of the individual computer user or of the Federal Government. I recommend strongly that the proposed Microsoft settlement be reviewed and that the breakup strategy be revisited.

Thank you,
David B. Raschen
1502 15th Ave SW
Decatur, AL 35601
256-355-4350

MTC-00015086

From: Pat J
To: Microsoft ATR
Date: 1/23/02 8:02am
Subject: Microsoft Settlement

I believe the Microsoft Settlement is a bad idea. It does not serve to restore competition back to the Operating System market. It is a slap on the wrist. It does not stop and may even encourage Microsoft to engage in the same business practices in other markets.

— Pat

MTC-00015087

From: Ben Derr
To: Microsoft ATR
Date: 1/23/02 7:57am
Subject: Microsoft Settlement

I would like to add my voice to those that think that the proposed Microsoft settlement is unacceptable.

Please do not approve the currently proposed settlement. Microsoft has grievously injured the software and computer industries and should not be allowed to continue unchecked. Supplying more of the software that has been used to subvert the industry to the parties that are objecting to that subversion is not the right answer and will not repair any damages, but in fact acerbate the problem.

Sincerely, a concerned US citizen,
Ben Derr
derrb@oclc.org
2400 Backbay Drive

Columbus, Ohio
43235

MTC-00015088

From: John M. Ford
To: Microsoft ATR
Date: 1/23/02 8:03am
Subject: Microsoft Settlement

Dear Sirs:

I am writing to give my comments on the Microsoft antitrust settlement. I believe this settlement is counter to the interests of the American public, deleterious to the American economy, and not adequate given the findings of fact in the trial.

Microsoft's anti-competitive practices are counter to the law and spirit of our free-enterprise system. These practices inhibit competition, reduce innovation, and thereby decrease employment and productivity in our nation. Microsoft's monopolistic practices cause the public to bear increased costs and deny them the products of the innovation which would otherwise be stimulated through competition.

The finding of fact which confirmed that Microsoft is a monopoly requires strict measures which address not only the practices they have engaged in in the past, but which also prevent them from engaging in other monopolistic practices in the future.

It is my belief that a very strong set of strictures must be placed on convicted monopolists to insure that they are unable to continue their illegal activities. I do not think that the proposed settlement is strong enough to serve this function.

John M. Ford
823 Queen Anne Place
St. Louis MO
63122

MTC-00015089

From: seveyj@wi.rr.com@inetgw
To: Microsoft ATR
Date: 1/23/02 8:04am
Subject: Microsoft Settlement
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

I wish to comment on the proposed Microsoft settlement, under the Tunney Act. I believe that the proposed settlement contains many narrow definitions and provisions which will allow Microsoft to sidestep the terms of the settlement in the future.

A simple example of this would be the definition of a "Windows Operating System Product". The settlement defines this as simply Windows 2000, Windows XP Home, and Windows XP Professional and their successors. There are no provisions in the settlement which seem to restrict Microsoft from using their monopoly on Intel-compatible PC operating systems to hijack another similar market which isn't covered by the settlement. Microsoft's current entry into the console gaming market via the X-Box is an example of this. Microsoft is willing to lose substantial money on each piece of X-Box hardware for the sole purpose of gaining market share in this similar market.

Once established, Microsoft can use their market dominance, this time including both hardware and software, to push rivals out of the market. After competition has been destroyed, Microsoft can simply add additional hardware to the X-Box, making it a fully-functional PC—a PC who's operating system is not covered by this proposed settlement.

The above scenario may not be likely, but the possibility that it even exists shows that the proposed settlement isn't in the public's best interest. According to the Court of Appeals ruling, "a remedies decree in an antitrust case must seek to "unfetter a market from anticompetitive conduct", to "terminate the illegal monopoly, deny to the defendant the fruits of its statutory violation, and ensure that there remain no practices likely to result in monopolization in the future".

There are many other instances of problems with the proposed settlement, too numerous to mention here. The point that I'd like to make is that I believe the settlement doesn't go far enough to unfetter a market from anticompetitive conduct, terminate the illegal monopoly, deny Microsoft the fruits of its violation, and ensure that there remain no practices likely to result in monopolization in the future.

Thank you for this opportunity to comment on these proceedings.

John Sevey
Sr. Software Engineer
Kenosha, WI

MTC-00015090

From: Chris Holdredge
To: Microsoft ATR
Date: 1/23/02 8:04am
Subject: Displeasure with MS proposed settlement

I'm an IT professional writing to my displeasure with the proposed settlement. Been in this business long enough to remember when there were a dozen or more operating systems and hundreds of viable application vendors. Surprisingly, that situation worked quite well, since interchange formats were de-facto standards shared by all. Now you can only expect your work to be usable by others if you use Microsoft's tools, and the latest versions at that, despite the fact that all that ever changes are the number of useless options on the menus, the file formats, and the pricing scheme. Please take serious, concrete action to restore real competition and innovation to the marketplace. Continuing with this slap-on-the-wrist proposal will leave our of our nation's most important industries in the hands of a stagnating, unmotivated, dinosaur.

MTC-00015091

From: Alan F Larimer Jr
To: Microsoft ATR
Date: 1/23/02 8:04am
Subject: Microsoft Settlement

To Those Reading:

I am very concerned with the proposed settlement. Microsoft "donating" computers running M\$ software is just furthering the monopoly. It does not properly address the reasons for the anticompetitive practices. Address the issue of not releasing Application Program Interface (API)

information. Issue one: Donation of computers. If M\$ wishes to donate computers to the school systems, let them donate the hardware. DO NOT let them place their software on it. That would just be expanding their control anticompetitively. Allow an alternative software company (such as Red Hat, Mandrake, SuSe, etc.) to provide the Operating System. This would encourage young students to look into alternatives.

This would also allow more hardware to be purchased by M\$ since they would not be paying for the software. Issue two: API release. In order for other software companies to develop software for use with M\$ Operating Systems, the API must be released so that these companies can provide stable and reliable applications. This is maybe the cornerstone of the illegal practice in which M\$ partakes.

Releasing the APIs would not only assist other companies in making good, but could also help M\$ to promote the vast resources available with their products.

Allowing M\$ to place its software on the computer without the option for other companies to provide software would be furthering the anticompetitive practices. Forcing them to release APIs now and in the future would take a great bite out of the nature of there illegality. Don't allow M\$ to continue such practices. Stop them now.

—Alan

Alan F Larimer Jr
Personal Web Site
See what my day is like
AwFuL, Jr. Productions
Build a man a fire, he will be warm for a day;

Set a man on fire, he will be warm for the rest of his life.

MTC-00015092

From: Iuri Fiedoruk
To: Microsoft ATR
Date: 1/23/02 8:03am
Subject: Microsoft Settlement

I know I'm not from USA, but this is a case that affects all globe, so I thought my opinion would be important. When I first read the proposed settlement, I thought it was good, but reading all little lines I saw so many holes that in the end I thought nothing on it would actually work. I think the remedies against Microsoft could be more harder, once it's products are getting higher prices and nothing on this settlement seems to do something against it to protect consumers, but if those remedies are going to be imposed, justice should be 100% sure that they will work and the company that created a monopoly and is trying to extend it will not use dark clauses to avoid them.

Thanks for your precious time and sorry for my bad english.

Iuri Fiedoruk, Santa Maria, RS, Brazil.

MTC-00015093

From: Randy Graebner
To: Microsoft ATR
Date: 1/23/02 8:04am
Subject: Microsoft Settlement

The proposed settlement is a very bad idea. Please rethink it.

Thanks,
Randy Graebner

Atlanta, GA

MTC-00015094

From: Metter, Steve
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:04am
Subject: Microsoft Settlement
Bad idea. Very bad idea.

MTC-00015095

From: John C Meuser
To: Microsoft ATR
Date: 1/23/02 8:04am
Subject: Microsoft Settlement
I would like to state my opinion that I believe that the proposed Microsoft Settlement is insufficient to restrain the monolithic company in any way. Microsoft has a history of getting by loopholes and the proposed settlement leaves gigantic loopholes for them to use. If the settlement goes through, nothing will change. Microsoft will just find more creative ways to extend its monopoly. I am deeply ashamed of how the Department of Justice has allowed Microsoft to practice how it has for so long.
John
My PGP/GPG public key:
<http://pgp.mit.edu:11371/pks/lookup?op=get&search=0x64C45A1D>

MTC-00015096

From: F. Hunt
To: Microsoft ATR
Date: 1/23/02 8:05am
Subject: Microsoft settlement—NOT ENOUGH REPARATIONS!

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices. Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Thank you for your time.
Sincerely,
Frances Simmons
7521 NE Netherland Drive #215
Fayetteville, NC 28303

MTC-00015097

From: Michael A. Miller
To: Microsoft ATR
Date: 1/23/02 8:04am
Subject: Microsoft Settlement
Dear Sir or Madam
I have been following the progress of the DOJ's case against Microsoft Corp. in the technology press for some time.
The proposed Settlement should be scrapped.

The proposed Settlement is not in the best interests of the public and needs to be reworked. Two major flaws in the current settlement are

1) insufficient penalty for a company guilty of illegal monopolistic practices, which will not deter Microsoft Corp from changing its behavior, and

2) not enough safeguards to prevent Microsoft Corp. from continuing to lock in and trap current and future computer users.
Thank you for your kind attention.
Mike Miller
mike—miller@acm.org (Mike Miller)
http://homepage.mac.com/mike_miller/

MTC-00015098

From: Kene Meniru
To: microsoft.atr(a)usdoj.gov
Date: 1/23/02 8:05am
Subject: Microsoft Settlement
To whom it may concern:
I do not have the opportunity to follow the trial or read the documents comprehensively because of little time from my project but I feel I must say something.

I find it very curious that the government is considering allowing Microsoft to extend their monopoly (by such things as providing computer related stuff to schools), something that the courts claim to have found them guilty of. Don't you know that Microsoft power comes from having many users?

If you claim that we are in a community with a government we should respect as looking after our interest, please do what would be good for your citizens. I can tell you a story of how I bought my recent laptop in which I payed for a microsoft operating system even though I did not ask or want to keep it. This should be a free country and a free market but yet you know all this and you still consider to increase their influence.

Please RECONSIDER this folly. We think highly of the government and would like to continue doing so.

Sincerely,
Kene Meniru
Champlain, New York
Kene Meniru
—keMen@illom.net—

MTC-00015099

From: Joakim Rosqvist
To: Microsoft ATR
Date: 1/23/02 8:04am
Subject: Microsoft Settlement
I dislike the proposed settlement, as I think it will let Microsoft off the hook too easy.
/Joakim Rosqvist

MTC-00015100

From: Kevin Verde
To: Microsoft ATR
Date: 1/23/02 8:06am
Subject: Microsoft Settlement
To whom it may concern:

As a computer industry professional, I must express my feelings about the proposed final judgment in the United States v. Microsoft case.

This punishment is almost beneficial to Microsoft as it will increase its share of the education market (thus depriving even more technologies from entering this market).

I suggest the punishment be fair, but strong. This proposal, as most computer professionals and media representatives agree, is a weak and meaningless punishment. It is a "slap on the wrist". As computers become more and more required for a person's survival (work and otherwise), we must not allow such predatory actions (of which the defendant has been shown to be guilty) to take place again.

Sincerely,
A concerned American citizen,
Kevin Verde
phone: +1 972 529 5899
Frisco, Texas USA

MTC-00015101

From: hscobie@Kollsman.com@inetgw
To: Microsoft ATR
Date: 1/23/02 8:07am
Subject: PFJ
The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

The PFJ allows Microsoft to discriminate against small OEMs—including regional "white box" OEMs which are historically the most willing to install competing operating systems—who ship competing software.

The PFJ allows Microsoft to offer discounts on Windows (MDAs) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas.

The PFJ as currently written appears to lack an effective enforcement mechanism.

MTC-00015102

From: Igor Khavkine
To: Microsoft ATR
Date: 1/23/02 5:06am
Subject: Microsoft Settlement
The settlement in its current form is a very bad idea.
It must not go through.
Igor Khavkine

MTC-00015103

From: Steve Bullwinkel
To: Microsoft ATR
Date: 1/23/02 8:06am
Subject: Microsoft Settlement
I reject the proposed settlement with Microsoft as being inadequate and incomplete. I do not believe that it will overcome or redress the wrongs committed by Microsoft, which has operated as a monopoly far too long. Please review and implement the proposals found in Dan Kegel's excellent analysis found at <http://www.kegel.com/remedy/remedy2.html> Only with a comprehensive solution, strictly enforced, can we hope to restore competition to the PC industry.

Thank You.
Steven Bullwinkel, Oakland, New Jersey
Managing Member, clear sky thunder, LLC
sbull@speakeasy.net

MTC-00015104

From: Jeff Peiffer
To: Microsoft ATR
Date: 1/23/02 8:07am
Subject: Microsoft Settlement
I would just like to say that I have read about the proposed settlement, and I am not in favor of it in its current state. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors, yet unfavorable to Microsoft.

Thank you,
 Jeff Peiffer
 4525 Cascade Dr
 Powell, OH 43065

MTC-00015105

From: Michael Spencer Jr.
 To: Microsoft ATR
 Date: 1/23/02 8:12am
 Subject: Microsoft Settlement

I am against the proposed Microsoft settlement, for the reasons already outlined in Dan Kegel's comments as per <http://www.kegel.com/remedy/letter.html>

Michael Spencer Jr.
 Council Bluffs, Iowa

MTC-00015106

From: P. T. Kornman
 To: Microsoft ATR
 Date: 1/23/02 8:07am
 Subject: Microsoft Settlement
 the proposed settlement is bad idea

MTC-00015107

From: Hobart, Aaron
 To: Microsoft ATR
 Date: 1/23/02 8:10am
 Subject: Microsoft Settlement

To whom it may concern.

I am writing to you in order to inform you of my dissatisfaction with the governments settlement in the Microsoft antitrust case.

Little to nothing is being done to Microsoft in this case, and it is a shame. In my office there are a number of people who have installed windows new operating system, and have nothing but problems with it. They have no other option, because Microsoft goes out of their way to make sure that all software that the average home user will only work on their OS.

The simple way to solve this is to open their source code, so that other people could make an operating system, or ther programs that would interface with programs written for windows.

We are a government by the people, for the people, not for the corporations.

Thank you.
 Aaron Hobart.

MTC-00015108

From: Mary Lou Nolan
 To: Microsoft ATR
 Date: 1/23/02 8:09am
 Subject: MSAG.doc.dot
 Mary Lou H Nolan
 4332 Davidson Avenue NE
 Atlanta, GA 30319
 January 23, 2002
 Attorney General John Ashcroft
 US Department of Justice
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you today to express my opinion in regards to the Microsoft antitrust dispute. I support Microsoft in this dispute and feel that this company is being wrongfully punished for being successful.

This continuing legal battle is a waste of precious resources and money. I believe the settlement that was reached in November will serve in the best public interest.

It is my understanding that under this agreement, Microsoft must share more

information with other companies and follow procedures that will make it easier for other companies to compete.

Microsoft has agreed to disclose for use by its competitors various interfaces that are internal to Windows" operating system products. Microsoft has also agreed to make available any protocols implemented in Windows" operating system. Additionally, Microsoft has agreed to design future versions of Windows to make it easier to install non- Microsoft software.

This settlement is a thorough agreement that is sufficient to deal with the issues of this lawsuit.

Please support this settlement. Thank you for your support.

Sincerely,
 Mary Lou H. Nolan

MTC-00015109

From: Jason Parker
 To: Microsoft ATR
 Date: 1/23/02 8:20am
 Subject: Microsoft Settlement

I think the proposed Microsoft Settlement is a bad idea.

Jason Parker
 Jasonp55@charter.net

MTC-00015110

From: Bowers, Eric
 To: "microsoft.atr(a)usdoj.gov"
 Date: 1/23/02 8:06am
 Subject: Microsoft Settlement

To Whom it May Concern;

I would like to make the following comments regarding the Microsoft settlement.

The PFJ erodes the Applications Barrier to Entry in two ways: First, by forbidding retaliation against OEMs, ISVs, and IHVs who support or develop alternatives to Windows. Secondly, by taking various measures to ensure that Windows allows the use of non-Microsoft middleware. A third option not provided by the PFJ would be to make sure that Microsoft raises no artificial barriers against non-Microsoft operating systems which implement the APIs needed to run application programs written for Windows.

It is my opinion that the Proposed Final Judgment as written allows and encourages significant anticompetitive practices to continue, would delay the emergence of competing Windows-compatible operating systems, and is therefore not in the public interest. It should not be adopted without substantial revision to address these problems.

Eric Bowers
 PC Support Specialist
 Cooper Bussmann, Black Mountain, NC
 Phone: 828-669-6482 ext. 180

The opinions expressed are mine and not necessarily those of Cooper Bussman, Inc.

MTC-00015111

From: Matthew Miller
 To: Microsoft ATR
 Date: 1/23/02 8:09am
 Subject: Microsoft Settlement

I am writing to comment on the proposed Microsoft settlement. The proposed settlement does nothing to punish Microsoft for blatantly unfair business practices and if

they are not punished, they will continue such practices as they have demonstrated with the latest version of Windows (XP). At the bank I work for, we tested Windows XP in our enterprise and determined that we did not want to implement it. We put Windows 98 and Windows 2000 workstation on our network. We occasionally need to change a workstation from Windows 2000 to Windows 98 for software compatibility. If our enterprise license was for either Windows 98 or Windows 2000, we would have to purchase an additional license each time a workstation has their operating system changed. Since we purchase a Windows XP license for every workstation, we can put any Microsoft operating system we want onto the workstation. Thus, we have to purchase a product we DON'T WANT in order to keep within Microsoft's demands.

Microsoft has and continues to engage in an embrace, extend and eliminate form of competition. When a competitor comes up with a good idea, Microsoft will first attempt to purchase the idea from the competitor or purchase the competitor itself. If that is not possible, they will build a competing product, extend the format and/or protocols used and eventually make it proprietary. At this point, given that Microsoft's APIs are not well documented except for inside of Microsoft, another party would have a difficult time building a competing product due to software's "barrier to entry".

Recently, Microsoft blocked nearly all competing web browsers from Microsoft Network web properties. If there wasn't such a public outcry, I believe they would not have corrected this problem. Microsoft will do everything in it's power to create or extend their monopoly in any business line they are involved in.

Please, punish Microsoft for their unfair business practices, don't reward them by what is essentially forcing them entry into a market they have thus far been unable to penetrate. Open their APIs, open their source code, break them up into smaller companies, each with their ENTIRE line of software products. At least this will ensure some sort of competition in the software and operating system market.

Thank you,
 Matthew Miller

MTC-00015112

From: Wes Price
 To: Microsoft ATR
 Date: 1/23/02 8:08am
 Subject: Microsoft Settlement

The current proposed settlement of the Microsoft anti-trust case is woefully inadequate—most of the problems which the settlements purports to address have already been resolved by Microsoft's abuse of its monopolistic influence on the software industry, and it ignores (and may even foster) new problems which have sprung up in their place. As one example, the exclusionary license which is built in to Microsoft's Enterprise Agreement subscription plan will go a long way towards reducing the ability of anyone to compete with Microsoft, making it impossible for anyone to break ranks without costing their company hundreds of thousands of dollars in "discounts"—once a

company subscribes, Microsoft will own their future.

The lack of any penalty for what even the courts agreed was substantial, intentional anticompetitive behavior on Microsoft's part, coupled with the lack of any structural remedy which would inhibit Microsoft from engaging in similar behavior in the future, renders this "solution" practically worthless—Microsoft will continue to crowd out products which are technologically superior for exactly as long as it is allowed full, unfettered access to a computer's operating system *and* web browser *and* office application suite.

I am politically conservative, but I cannot support this administration's disgraceful attempt to conciliate the Microsoft machine at my expense—the administration's gall in claiming that the proposed solution will do anything substantive to change or limit Microsoft's de facto monopoly is only exceeded by Microsoft's gall in continuing to stamp out innovation and competition while on trial for those selfsame actions.

Wes Price

MTC-00015113

From: BJ Mitchell
To: Microsoft ATR
Date: 1/23/02 11:09pm
Subject: Microsoft Settlement

Hello, I am writing to express my dissatisfaction with the current settlement proposed in the Microsoft antitrust case. I believe that the settlement should see Microsoft punished for its anti-competitive practices, as well as open up the market to competition. Forcing Microsoft to document all their APIs used by the Windows operating system and associated software packages should certainly be one of the requirements. The current settlement proposed does not do this. Thank you for your consideration.

Regards, Brandon Mitchell
bjm@skullcave.com

MTC-00015114

From: Nathaniel Woody
To: Microsoft ATR
Date: 1/23/02 8:08am
Subject: Microsoft Settlement

I find the proposed settlement of the Microsoft antitrust case very disconcerting. The most obvious problems that I see are that the disclosure of API's by microsoft(which I believe would be a "good thing") seem to be rather weakly worded. It would appear from the way the settlement is worded that there are several loopholes by which Microsoft would be able to prevent usefull access to the API's that non-microsoft developers would need. The security wording appears very dangerous and appears to allow Microsoft to be able to prevent the distribution of any API's that Microsoft finds most important.

Microsoft has proven in the past a willingness to find and exploit loopholes and this seems to provide a rather easy one. The second serious problem I see is the idea of Microsoft paying the expected fines by providing software to schools. This sounds like a good idea on the face, but I see two major problems.

First distributing software costs Microsoft essentially nothing. The only real costs that

could be attributed to this are the production costs of the CD's and manuals. The schools that would receive this were not planning on buying Microsoft products so there can be no argued loss of revenue and so the worth of software license is arguable at best. The second problem is that the education market has always been dominated by Apple, particularly the Macintosh now. This provides an excellent way for Microsoft to attack a competitor to their monopoly while paying off monopoly fines.

This whole idea amounts to paying a fine with software license play money. I believe Ralph Nader's essay does a far better job addressing these problems then I can so I will not talk of these any further.

The final problem that I have with the settlement is that there seems to be far too much reliance on good-will practices from Microsoft to prevent further monopoly problems. I have seen little evidence to suggest that Microsoft takes the attitude that they are being watched by someone and so most behave better. Instead there seems to be a regular stream litigation both from and against Microsoft. I do not see how the proposed settlement would in any meaningful way restrict the actions of Microsoft without an internal attitude change. Evidence that Microsoft wishes to maintain it's monopoly appears in their current lawsuit against LindowsOS. Lindows proposes to be a new OS that is capable of running Microsoft apps as well as linux apps(hence the name!). They are being sued by Microsoft for trademark violation. This despite the the plethora of (non-windows competing) apps that incorporate "win" or "windows" into their name(winzip, winrar, winamp,etc). However, Microsoft instead resorts only to attacking potential competitors.

I hope this statement provides some of the reasons why I am so disappointed in the proposed settlement. This email was written and is sent on behalf of the Chemometrics Research Group at the University of Delaware. I include their names below:

Nate Woody
Tony Myles
Rob Feduale
Huwei Tan

Thank you for the opportunity to voice our opinion.

MTC-00015115

From: jrp inthehouse
To: Microsoft ATR
Date: 1/23/02 8:09am
Subject: Microsoft Settlement

Regarding the Microsoft settlement, I do not believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at 40%).

This must be true for all Microsoft product lines, before regulation is lifted.

I am sending this email by Microsoft Hotmail, on a Windows 98 machine, in a fully Windows office. I support the company, but I strongly believe that Microsoft's repeated use and abuse of their overwhelmingly controlling monopoly has hurt my business (MS-DOS, Forcing computer manufacturers to pre-install OS, Internet Explorer, et al), and my future, by the sheer fact that I cannot choose any other OS. My freedom to pick and choose the most competent and advanced Operating System has been taken away from me by the de facto standard that Microsoft employs. All of this has been shown in a court of law. Microsoft has been shown guilty; therefore Microsoft should face the consequences.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Introduction of WinXP (full of bugs and premature to avoid DOJ injunction), the upcoming .NET initiative, and the continual use of economics of scale, to this day hamper competition. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.

J Randolph Plemel
3405 Telford Ave
APT 201
Cincinnati, OH 45220
513.227.5681

MTC-00015116

From: Russell Goyder
To: Microsoft ATR
Date: 1/23/02 8:10am
Subject: Microsoft Settlement . . .
... is awful as it stands.
I do not support it.
Russell Goyder

MTC-00015117

From: Randy Morrow
To: Microsoft ATR
Date: 1/23/02 8:09am
Subject: Microsoft Settlement
Please do not let this settlement move to completion.
The government must find a new remedy to this situation. The consumer will feel the effects of this if Microsoft of is allowed to continue with it's current business practices.
Randy Morrow

MTC-00015118

From: Alan MacDonald
To: Microsoft ATR
Date: 1/23/02 8:09am
Subject: Microsoft Settlement
The settlement is a bad idea, guys.

MTC-00015119

From: Steven P. Cornett
To: Microsoft ATR
Date: 1/23/02 8:09am
Subject: Microsoft Settlement
Gentlemen:

I am writing you to register my disdain over the proposed settlement of the

Department of Justice anti-trust case against Microsoft. Having followed this issue from the beginning, I believe that Microsoft is the most shameless and unrepentant monopolist since AT&T and Standard Oil, and yet the "settlement," for perhaps "sellout" or "carpet sweeping" would be a better term for it, gives a wink and a nod to them to continue to drive all competition out of every segment of the information industry.

The worst part of this settlement is that your attorney's, while making statements to the press about "seeking relief for unlawful behavior", did nothing of the sort and had to *know* that they did nothing of the sort. This still allows Microsoft to keep its operating systems and office software operations in one company, keeps the API (the system calls needed to interface to Windows) safely in Bill Gates' back pocket, and allows them to expand their monopoly into any segment of the computing industry they do not already have dominance over and to use the strategies they've used to lock in the PC industry.

I'm sure you heard from many, including I suspect many Microsoft sycophants chanting about "freedom to innovate," as well as many others. However, this issue is not about innovation; if this settlement goes through innovation is the *last* thing that will happen in the information industry for a long time to come. Therefore I am asking you to reject this "settlement" and formulate a punishment that fits the crime, and truly gives relief to the industry that has been damaged by the expanding Microsoft monopoly.

Yours Truly
Steven P. Cornett
cornetts@siscom.net

MTC-00015120

From: Matt Burke
To: Microsoft ATR
Date: 1/23/02 8:08am

Subject: Microsoft Settlement Hello,
I would like to say that I oppose the settlement because it leaves open the possibility for many APIs to remain undocumented, if they are listed as "only the interfaces between Microsoft Middleware and Microsoft Windows" (Kegel). This seems like a loop-hole which will continue to prevent people who do not work for or contract with Microsoft from writing software which will tie-in well with the various Windows operating systems.

One example is remote applications. While Unix platforms employ the MIT X-Window system to allow gui applications to be interactively served over a network, the best Windows equivalent, VNC (by AT&T), is hideously slow and useless for serious work. The VNC website attributes blame for this in question 50 of the FAQ (at <http://www.uk.research.att.com/vnc/faq.html#q50>): "Because Windows gives us fewer hints about what it's doing, and because we don't have the source code for Windows in the same way that we do for X, the WinVNC server has to work harder to find out what's changed, and so a really fast machine should make a big speed difference." The Linux version runs at a far higher speed on much slower hardware, due to the full availability of the display API used by Linux.

Please do not approve this settlement, as the most important aspect of it (API openness) is fatally flawed.

Thank you,
Matt Burke

MTC-00015121

From: Alan MacDonald
To: Microsoft ATR
Date: 1/23/02 8:11am
Subject: Microsoft Settlement

General veto on interoperability
In section J., the document specifically protects Microsoft from having to "document, disclose or license to third parties: (a) portions of APIs or Documentation or portions or layers of Communications Protocols the disclosure of which would compromise the security of anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems, including without limitation, keys, authorization tokens or enforcement criteria"

So, basically, they can develop a proprietary system, closed to competitors, and not have to tell them how it works when they have it represented ubiquitously on peoples desktops.

Hello? Competition?
rgds
Alan

MTC-00015122

From: Kevin Vargo
To: Microsoft ATR
Date: 1/23/02 8:10am
Subject: Microsoft Settlement
Dear Sir or Madam,

In today's society, technology is becoming more and more pervasive. Entering, and to some degree structuring, all aspects of daily life. As a Computer Science student, and now as a Computer Programmer professionally, I have a great deal of experience with the software/computer industry. I have recently graduated from Case Western Reserve University, and as a recent graduate, you can be assured that I have surveyed the field to find a company for which I would like to work. One which supports growth in the field as well as an acceptable pay range. The single greatest asset to my learning has been the Linux/Open Source movement. While I work for a company that prides itself on it's patents, I fully recognize the gains and pitfalls accompanying both. I feel that puts me in a decent position to make an educated suggestion on the current topic.

It is —integral— to the future of this field that a wise, far-reaching and Non-Political decision is made. For anyone who has any knowledge of the case, Microsofts blatant disregard for any laws or ethics (doctored video tape, etc) would cause any normal case to become speedily resolved. Why is this not the case for Microsoft? Unfortunately, I do not have any idea. This decision could very well change the entire face of the computer industry. Forever. I don't mean 10-years forever. I mean forever. Just as in research into Chemistry or Biology, so is research into Computer Science. The problem, however, is that Computer Science is not as well delineated into industry segments. Development of new methods and new

proceedures occurs throughout the industry, regardless of labs and R&D plants.

Stifling such growth is detrimental to the entire technology industry. A monopoly stifles new growth. Microsoft has been found guilty, in a court of law, of maintaining their monopoly on the Operating Systems market. None of this has been disputed. The terms of the settlement, however, do absolutely nothing to change this situation.

Nothing.

There are several points which need to be addressed. The current grip on OEM providers needs to be addressed. To this end, Microsoft's licensing schemes need to be overseen, and further regulated. It is not enough, by virtue of Microsoft's own failure to respect Governmental Authority, to ask them to be nice. This has failed time and again. The choice of relieving a computer, etc, without the operating system of Microsoft needs to be enforced. A consumer purchasing a new system very rarely has the opportunity to do so—and Microsoft leverages their considerable monopoly to ensure that this remains the case. We have all seen the battle played out with various large-scale computer producers.

Microsoft should be forced to compete fairly and ethically with all comers. This should take the form of releasing specifications that are true-to-fact, up-to-date and follow the course of "the truth, the whole truth, and nothing but the truth" in restrictive language so that Microsoft cannot continue to hide functionality or mislead people about the nature of their software. This should be enforced on both the APIs of software for the Operating System, as well as the file formats for such things as Microsoft Word, Money, etc.

In no way does a quick settlement aid any consumers. In no way is a quick settlement a matter which ensures domestic tranquility or national security. However, a well determined and thought out solution which forces a company, proven in court of law to be in breach of Anti-trust law, proven time and again in the judicial world to be unethical and completely disregarding of the authority of the courts (doctored video) which ensures the possibility for continued growth throughout the industry, to the aid and betterment of all consumers is a matter which could result in domestic tranquility and national security. In todays world, economy makes a country. Microsoft controls technology which controls a great deal of manufacture and industry in this country. The effects are far reaching and deep.

Please, I implore you as a consumer in the field, a professional in the field, and as an enthusiast in the field, do not fail to make an appropriately corrective conclusion to this penalty phase. Ensure that Microsoft is legally bound, with heavy penalties that are without gray area, to compete fairly, according to the laws of this nation. To do otherwise would be to fail utterly, and render the courts decision about the illegality of maintaining a monopoly utterly meaningless. That is what is at stake.

Please take the time to consider.

Sincerely,
Kevin Vargo

MTC-00015123

From: Yodster
To: Microsoft ATR
Date: 1/23/02 8:09am
Subject: Microsoft Settlement

I don't believe the Microsoft settlement is fair. Microsoft is getting away with far too little a punishment.

Therefor I wish to file a complaint stating that the settlement is a bad idea.

MTC-00015124

From: jeff@jeff-jensen.com@inetgw
To: Microsoft ATR
Date: 1/23/02 8:09am
Subject: Microsoft Settlement

I would like to register my concern and disapproval with the proposed Microsoft Antitrust Settlement. I do not believe the proposed remedies will be adequate to deter or prevent future antitrust behavior.

An effective settlement will need to be more forceful to in preventing or deterring unfair business practices. This could include breaking the company into an operating system company, a development tools company, and a package software company.

Jeff Jensen
11555 N. 60 St.
Omaha, NE 68152

MTC-00015125

From: Charles Barilleaux
To: Microsoft ATR
Date: 1/23/02 8:11am
Subject: Microsoft Settlement

Hi!

A am an IT professional, and a computing enthusiast. In short, I regard myself as a "geek," though it does afford me a comfortable living.

I wanted to voice my support of the settlement with Microsoft. It is time to get past that. While the creation of a standard platform may have been a battle that went above and beyond the principle of "all's fair in love and war," it did create a standard. In the net, I feel that having a standard is good for consumers, commerce, and the economy at large.

Thank you,
Charles Barilleaux
Cincinnati, Ohio

MTC-00015126

From: Lawrence, Daniel G.
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:07am
Subject: Microsoft Settlement

My biggest problem with the proposed settlement is that it is not strict enough.

Have you read the recent .NET license agreement? It basically says that developers release FULL RIGHTS to Microsoft for ANY code developed using .NET. Basically, it means that microsoft will OWN the internet . . . if they can push people to use .NET's ASP2 functionality. If you're not technically saavy, Windows 2000 and ASP are far slower and less stable than BSD and PHP, but Microsoft has leading share; this smacks of powerful influence. When the influence of a company can be used in such a way as to LAY CLAIM TO ALL CODE, I believe that the company should be regulated as a monopoly.
-Daniel

MTC-00015127

From: vladimir@leonora.org@inetgw
To: Microsoft ATR
Date: 1/23/02 8:12am
Subject: Microsoft Settlement

Sirs,

I oppose the proposed settlement because it will not be effective in preventing Microsoft from the behavior deemed illegal by the Court of Appeals. Microsoft will merely stop their current practices and take up new ones which have the same effect.

The only remedies that will be effective are those that prevent Microsoft from engaging in the tactic known as "ace and Extend".[1] I think the remedies proposed by the Free Software Foundation[2] would prevent Microsoft from engaing in "Embrace and Extend" and would enable competitors to compete technically with Microsoft, while not preventing Microsoft from innovating. These remedies are:

1. Require Microsoft to publish complete documentation of all interfaces between software components, all communications protocols, and all file formats.
2. Require Microsoft to use its patents for defense only, in the field of software.
3. Require Microsoft not to certify any hardware as working with Microsoft software, unless the hardware's complete specifications have been published.

Thank you.

— Vladimir

I am a U.S. citizen.

[1] Microsoft is well known for its "embrace and extend" strategy, in which it adds elements to popular technologies to bind users to its version of the technologies.

—<http://www.salon.com/tech/log/2000/05/11/slashdot—censor/>

[2] <http://www.gnu.org/philosophy/microsoft-antitrust.html>

Vladimir G. Ivanovic
2770 Cowper St.
Palo Alto, CA 94306-2447
<http://leonora.org/vladimir>
vladimir@acm.org
+1 650 678 8014

MTC-00015128

From: Rand Partridge
To: Microsoft ATR
Date: 1/23/02 8:09am
Subject: Microsoft Settlement

I disagree with the proposed settlement of the Microsoft Anti-trust case. Continue litigating, to obtain a more competitive computing industry that will truly benefit consumers.

Rand Partridge
Rand Partridge, Ph.D.
Social Science Department
PartridgeR@hutchcc.edu

MTC-00015129

From: Gerald (Jerry) Rudolph
To: Microsoft ATR
Date: 1/23/02 8:11am
Subject: Microsoft Settlement

I think the proposed settlement will cause harm to the software industry.

Gerald Rudolph, PhD
1038 Corley Mill Road
Lexington, SC 29072

MTC-00015131

From: Peter Stephen Erskine
To: Microsoft ATR
Date: 1/23/02 5:12am
Subject: Microsoft Settlement

Please may I say that I feel the proposed settlement is very unsatisfactory for the public. Microsoft have recently demonstrated dishonesty and predatory anticompetitive practices in the Corel case. They destroyed competing software completely (all the Corel office products) by shutting down Corel.

By offering to give Microsoft-based computers to schools they are magnifying their existing monopoly grip. School pupils need to learn other operating systems and languages—those such as Java and C++ which are designed from the outset to work with ALL computing environments. If you let schools have Microsoft stuff, its designed to NOT WORK with other platforms. This is pretty useless nowadays as the decent servers are Unix based.

Microsofts monopoly over users desktops has all but strangled innovation in computer science.

They have not done anything innovative since 1992 (and even that was questionable as all the concepts were stolen).

Peter Erskine

MTC-00015132

From: John Mignault
To: Microsoft ATR
Date: 1/23/02 8:12am
Subject: Microsoft Settlement

As an American citizen, I urge you to reconsider the all too insufficient remedies proposed in the pending settlement with Microsoft. Microsoft is a dangerous monopoly that has stifled true innovation and competition in the software marketplace for years. Its products enjoy no higher endorsement than volume; they are thoughtless mediocrities designed with barely sufficient functionality in order to quickly capture market share and entrap users in a endless cycle of upgrades. These upgrades supposedly fix problems in software that should not have been present at the time of purchase. To ask that the consumer continue to pay for such repairs borders on fraud.

I ask you to reconsider the settlement to ensure that Microsoft is unable to continue its shameful victimization of the software industry.

MTC-00015133

From: Charles R. Tersteeg
To: Microsoft ATR
Date: 1/23/02 8:11am
Subject: Microsoft Settlement

I think it is a bad idea.

Have a 3rd party without Microsoft, draft one. Maybe guys from IBM, AT&T, RedHat, and Mac could form a committee and have a settlement or I say nothave them pay.

MTC-00015134

From: Brad Garcia
To: Microsoft ATR
Date: 1/23/02 8:16am
Subject: Microsoft Settlement

I don't believe the settlement does enough to punish Microsoft. Nor does it seem to do

enough to encourage competition. I'm afraid that this settlement will do little to change Microsoft's current predatory business practices.

I have read through the settlement, as well as several essays that others have written analyzing the settlement. I will be signing my name to one of the better ones I have read.

Sincerely,
Brad Garcia

MTC-00015135

From: Rob Compton
To: Microsoft ATR
Date: 1/23/02 8:12am
Subject: Microsoft Settlement

Hello,

I would just like to voice my opinion that I feel the proposed Microsoft settlement is not in the best interest of the people and in fact help Microsoft more than encourage it to not practice predatory behavior in the future.

As a systems manager in an educational system the thought of a company taking used computers and software that it makes inflating the value of both and giving it to schools who may need different tools, resources, or money does not seem helpful. Not only does it give Microsoft inroads into a market it has not been able to dominate, but it allows the company to "buy out" of its settlement for pennies on the dollar.

Microsoft has proved that it has no intention of changing its behavior by ignoring previous court orders. The only way to stop this kind of behavior is to completely change its corporate structure, as for how to do this? I don't have a complete answer for this. I would suggest much smaller independent companies being formed from the whole that is Microsoft.

If my views or opinions can be of further assistance to you feel free to contact me. Thank you for giving me the opportunity to voice my feelings in this matter.

Sincerely,
Robert C Compton
Projects Manager, Arts & Sciences
Computing
Washington University, in St. Louis
314.935.5684

MTC-00015136

From: v2krause@btv.ibm.com@inetgw
To: Microsoft ATR
Date: 1/23/02 8:13am
Subject: Microsoft Settlement

Settlement is bad for people but good for microsoft.
Say NO!!!!

MTC-00015137

From: Jim Tatz
To: Microsoft ATR
Date: 1/23/02 8:03am
Subject: Microsoft Settlement

The settlement is TOO kind to Microsoft.

MTC-00015138

From: L. Michael Roberts
To: Microsoft ATR
Date: 1/23/02 8:14am
Subject: Microsoft Settlement

NO to the Microsoft settlement

Even after being found guilty of being a monopoly, Microsoft's behavior has not changed.

Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will work.

Microsoft must be required to all consumers to use any and all software that suits their needs and not force us into using Microsoft software.

L. Michael Roberts

MTC-00015139

From: Softguides
To: Microsoft ATR
Date: 1/23/02 8:14am
Subject: Microsoft Settlement

The current Microsoft Settlement is the WRONG approach and is a VERY BAD IDEA

Please rethink and take account of testimonies not only of individuals but of companies and technologies damaged by malpractice, such as Apple's Quicktime.

MTC-00015140

From: Jeff Amfahr
To: Microsoft ATR
Date: 1/23/02 8:14am
Subject: Microsoft Settlement

I wish to comment on the proposed Microsoft settlement. I do not feel it properly address the actions of Microsoft, nor that it allows for proper enforcement of the proposed actions. I would strongly encourage you to look at far more aggressive and punishable actions in order to correct their egress behavior. Thank you.

Jeff Amfahr

MTC-00015141

From: leber@voicenet.com@inetgw
To: Microsoft ATR
Date: 1/23/02 8:14am
Subject: Microsoft Settlement

NO! The proposed settlement is a bad idea. Vote it down! Microsoft is strangling the world of Information Technology. Set things right now!

-Tom Leber
Wyndmoor, PA
leber@voicenet.com

MTC-00015142

From: Martin E O'Mara
To: Microsoft ATR
Date: 1/23/02 8:14am
Subject: Microsoft Settlement
To: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement. As a small business owner who services home office and small office computers, I find many Microsoft's licensing practices for computer owners into products they neither need nor want (such as Internet Explorer and Outlook).

It is my wish that the not accept the current settlement.

Thank you,
Martin O'Mara
PCright, Inc.
2006 Old Greenbrier Rd.
Ste 1-D
Chesapeake, VA 23320

757-424-3926

MTC-00015143

From: Hotmale
To: Microsoft ATR
Date: 1/23/02 8:15am
Subject: Microsoft Settlement

I think the proposed settlement is a bad idea! Please do not allow the biggest thieves in history to get away with it!

MTC-00015144

From: Ken Beyer
To: Microsoft ATR
Date: 1/23/02 8:12am
Subject: Microsoft Settlement

I am writing this email to voice my opinion under the Tunney Act about the proposed Microsoft Settlement.

I feel the settlement is a disgrace to American business and free competition as a whole, and will result in Microsoft returning to their ways of being monopolistic and to crushing competitive threats and open ideas.

I feel the company should have been penalized harsher and should have been split up, and even some executives should have served some jail time. Microsoft must open it's APIs to all developers well in advance of major releases of their operating systems and development tools. By not doing so, they clearly have an unfair advantage to develop superior products in advance of competitors as well as allowing businesses they so choose to have the same advantages.

The free market, not Microsoft, should be able to decide the fate of emerging technologies.

As I read the settlement (note that I'm not a lawyer, nor do I have 20 hours to wade through 100's of pages of documents), I also feel that there are no provisions in place to closely monitor Microsoft from returning to their ways. I feel that there should be people dedicated to this effort—to watch them like a hawk, so unfair practices don't return.

For what it's worth, I went on an interview at MicroWarehouse, and I asked why they deploy all their server stuff on Microsoft. They said because Microsoft gives them freebies to use, and why should they not take advantage of that rather than go buy stuff from Sun, HP, etc. They said that if they help push Microsoft products, they get the kickbacks. This little tidbit I learned, along with having to buy a PC with Microsoft products bundled on it has very much annoyed me!! Then there's the whole squashing of Netscape, and other strong tactics of buying up competitive threats.

It's quite annoying to see Microsoft basically get off "scott free" with this settlement. But more importantly, I envision that over time the world will continue to be Microsoft dominated and will control innovations through continued strong-arm tactics and illegal/crafty partnerships. America deserves better than that . . . we deserve to have open and fair competition in the software marketplace.

—
Ken Beyer
Software Developer—Metatec
International, Inc.
32 Highland Dr.
Jackson, NJ 08527

MTC-00015145

From: Perkins, Dennis
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:17am
Subject: Microsoft Settlement

One problem with Microsoft is that they change their document formats and API's with every release. Rather than requiring them to make a version of Office available for Linux, require them to publish the document formats for Word and Excel, and the networking protocol for SMB, as well as for any open standard they have modified, such as Kerberos. Require that this be done concurrent with, or prior to the product release. This would make it possible for companies and governments to standardize their systems on standards instead of on Microsoft products.

MTC-00015146

From: Jeffrey A Angielski
To: Microsoft ATR
Date: 1/23/02 8:16am
Subject: Microsoft Settlement

I think the proposed settlement is a very bad idea and does nothing to stop the monopoly that Microsoft has on the software industry.

MTC-00015147

From: Horanburg, Chadd (ISS Southfield)
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:15am
Subject: Microsoft Settlement

Hello,
I would like to voice my opinion over the proposed Microsoft Settlement. Too many times has Microsoft used it's power and money to do whatever it wants, it's time that we sent a message and made them pay for their crimes. Chadd
Chadd M. Horanburg
Internet Security Systems
Managed Intrusion Detection Systems,
Intrusion Detection Technician
3000 Town Center Dr
Suite 1100
Southfield, MI 48075
P. 877-563-8739 F. 248-352-0301
choranburg@iss.net

MTC-00015148

From: arthur foelsche
To: Microsoft ATR
Date: 1/23/02 8:17am
Subject: Microsoft Settlement

The proposed settlement is a really really bad idea. It totally fails to deal with the issue at stake and does nothing to prevent Microsoft from doing anything in the future. Please do not allow Microsoft to get away with their practices

MTC-00015149

From: Ajay Shekhawat
To: Microsoft ATR
Date: 1/23/02 8:17am
Subject: Re: Microsoft Settlement

Dear Sir/Madam,
I am vehemently opposed to any settlement with Microsoft Corp. which allows them to walk away without paying severe fines, and without reforming their ways. Microsoft should be punished severely, just like any person would in such a case.

Please do NOT settle with Microsoft.
Sincerely,
Ajay Shekhawat
Buffalo, NY

MTC-00015150

From: Paul Varga
To: Microsoft ATR
Date: 1/23/02 8:17am
Subject: Microsoft Settlement

I'm somewhat bewildered by how the current actions are going to prevent Microsoft from continuing to bully the market, expand its monopoly to new ones, and trample innovation.

Being a programmer, I have to keep an eye on this situation more than most. Some of the arguments that I've read that I agree with restrict the following areas:

—For better or for worse Microsoft's software has become largely dominant. The business market was taken more than most. To free this entrapped market the easiest solution appears to be releasing the source code to Microsoft's file loading and saving routines. Failing this, a full tried-and-true set of documentation would help. Some of this source code would be in the Windows API, which should be considered for opening as well. In either case, updated source code or documentation should also be released in upcoming years to maintain the effectiveness of this measure. Doing this would alleviate issues with Word Processors, Spread Sheets, Presentation, and Audio/Visual Multimedia formats. That's a large effect for seemingly such a small change.

—Although this is less often thought of the network protocols behind Windows and much of Microsoft's software is a barrier at least as large as Microsoft's file formats. The already existant formats are largely conquered by independent and inquiring minds. The one exception that I know of is Microsoft's DirectPlay, part of DirectX. The protocol documentation behind this released to the public as well.

However, that does not protect the future. Microsoft should be barred from writing protocols that are not open and standardized by international bodies in the future. Making this enactment retroactive (applying to all existant protocols) would also aid our efforts to make the work seamless and give people choice.

—Microsoft should not be able to so easily bundle its products with new computers that are sold. Not only would this give a chance to competing operating systems, it would lower the effectiveness of Microsoft's "bundle to make dominant" strategy with its Windows included products.
Thank you for your time,
Paul Varga

MTC-00015151

From: faisal
To: Microsoft ATR
Date: 1/23/02 8:17am
Subject: Microsoft Settlement

I have read over the proposed Microsoft Settlement, and am NOT in favor of it, in its current state. The settlement does not, in any way, penalize Microsoft for its past

infringements of the law. For many years, OEMs have been under control of this corporation, and simply "formalizing" this law in a document is not enough. Microsoft has been declared guilty of past wrongs, and must now be held accountable in some measure. The current proposed settlement is unacceptable. Thank you for your time.

Sincerely,
Faisal Rahman
6118 breezewood ct #102
greenbelt, md 20770

MTC-00015152

From: Mike Spenard
To: Microsoft ATR
Date: 1/23/02 8:17am
Subject: Microsoft Settlement

Hi, I am a computer software engineer and I would just like to voice my opinion that the microsoft settlement in my eyes will make things worse. From what has been settled upon it would make such (free) software projects such as Samba illegal or what not. This is a grave injustice for the computing community.

thanks
Mike Spenard
Signall technologies.

MTC-00015153

From: Brent Laminack
To: Microsoft ATR
Date: 1/23/02 8:17am
Subject: Microsoft Settlement

Dear Sirs,
I'm opposed to the Proposed Microsoft Settlement on a number of points. First, let me state that I work part-time as an instructor at the Georgia Institute of Technology's College of Computing. I have twenty years experience in the computer field.

To summarize my objections, the proposed settlement simply doesn't give other software companies enough information to compete. The proposed settlement opens up some "middleware" APIs. This is simply inadequate. In order to be truly effective, the settlement must require Microsoft to open all APIs and file formats for all their products, along with all hardware interface specifications they exchange with hardware manufacturers. Microsoft must also provide these APIs and interfaces to everyone who wants them. The current settlement allows Microsoft to provide these only to companies that they deem to be a viable business. Therein lies the proverbial Catch-22. Without the APIs and hardware interfaces, no other company could ever become a viable business.

One other note, the three-person oversight committee must be made of people selected by Microsoft competitors, not Microsoft. Otherwise Microsoft becomes its own policeman.

In short, I believe the proposed settlement does essentially nothing break up the Microsoft monopoly and relieve the consumer.

Thank you for your consideration,
Brent Laminack (brent@cc.gatech.edu)

MTC-00015154

From: Clark Nova
To: Microsoft ATR
Date: 1/23/02 8:17am

Subject: Microsoft Settlement

Wednesday January 23, 05:36AM

I'm writing this email under the auspice of the Tunney Act, and to give voice to my long standing concern that Microsoft has, and continues to act as a criminal, monopolist empire, and will do so in the future if appropriate action is not taken.

The foundations of Microsoft's corporate structure were laid on the work of countless, unsung programmers it defrauded, scammed, and conned into writing system components for them under contract and then used legal and financial leverage to break these contracts, leaving their developers penniless.

Microsoft has been sued successfully for using the copyrighted code from other systems, so this is not in dispute. By stealing the best that countless fine minds had to offer, by strong-arming PC distributors into exclusionary contracts, and by exploiting prejudice and promoting ignorance, Microsoft built a commercial empire that threatens to cheapen, if not demolish some of the greater technological strides made in the last two decades.

It is my belief, born of years of the observation of trends in the computing industry, that Microsoft is quietly plotting to turn the personal computer, an instrument with the power to change human thought, work, and life for the better, to make mankind smarter as it were, into a sort of complex version of the television. Instead of the information processing power of commercial PC systems belonging to their owners, Microsoft is pre-emptively taking control of the consumer PC and turning it into a sort of super-marketing engine, designed to gather and disseminate ever more personal data, and bombard computer users with ever more sophisticated advertising. Indeed, aspects of this plan can already be seen in the latest editions of Microsoft operating systems. ESPECIALLY their XP operating system, which was rushed in development and released early for no other reason than to evade your court's justice.

These "features" detract from, and degrade computer performance in much the same way that a gasoline company would weaken the performance of your car by bolting heavy billboards to the side of it. Microsoft partnerships with hardware developers like Intel (often thought of as Microsoft's partner in crime by members of the engineering world) only further expedite this process of degrading our valuable technology. The American people should not have to fight this insidious, deliberate trend. Indeed, it shouldn't even be an issue. However, the greed, corruptibility, and maniacal disregard for the public good of a few powerful men has forced us into this position.

It is my understanding that the anti-trust laws that Microsoft has been successfully prosecuted under were written with the primary intent of dissolving the mob-like power of the meatpacking and steel producing conglomerates of the early part of the last century. The context may have changed but the struggle is the same. These laws were not designed to deliver a slap on the wrist to the offenders. They were written to break utterly the stranglehold that these companies had on large segments of the

American working and purchasing population. Please, do not beat the aging sword into a useless flyswatter. I implore your court to render a judgment that cripples Microsoft's power to aggrandize it's own corporate edifice at the expense of the public good. A few suggestions toward achieving this end within the power of your court:

1. That Microsoft be barred from making exclusive license agreements that limit the freedom of PC distributors to sell competing software and operating systems.

2. That Microsoft be barred from "integrating" non-essential software packages such as browsers and email clients into their operating systems. Indeed, it may be most practical to simply wrest the research and development parts of the company that design non-essential software away from the parent, and require that they operate autonomously.

3. That Microsoft be required to release their windows source code, or at least the technical developer's information for it into the public domain. as it stands, the proprietary secrecy that enshrouds their code does not act to protect a highly advanced technology from usurpation. Microsoft's operating systems are actually notorious for being the BOTTOM of the industry's standards. No. The only thing that is protected by the cloak of secrecy that surrounds the cores of their operating systems is Microsoft's power to control of who is, and who is not allowed to develop software for their systems.

4. That Microsoft be required to pay restitution to its defrauded developers, and that a standing judicial panel be formed to arbitrate the thousands of potential claims that this action would engender. Please take these words to heart. There has been rumor that Microsoft is using this same Tunney Act avenue to canvas your court with it's own propaganda. This is sure to confuse, confound, and further weaken any action that might be taken against them. Microsoft is a criminal commercial empire and always has been. Its aim is further concentration of financial capital and computing power into itself, and it has little to no regard for the welfare of the computer-reliant public.

Sincerely,

Daniel L. Swartzendruber

MTC-00015155

From: khorton@dante.imagelinks.com@inetgw

To: Microsoft ATR

Date: 1/23/02 8:18am

Subject: No to Microsoft settlement

To whom it may concern:

Microsoft's proposed settlement is a slap in the face of American justice.

Kenneth J. Horton

Indian Harboun Beach, Florida 32937

MTC-00015156

From: Matt Christoff

To: Microsoft ATR

Date: 1/23/02 8:04am

Subject: Microsoft Settlement

The settlement is a bad idea. A breakup is the only solution to restore competition. There can be no effective solution that doesn't solve the problem of the operating

systems complexities being withheld from competing companies who create windows software. These competing companies are always at a hopeless disadvantage. They attempt to compete against the hand that can choose to feed them the information they need to compete, or not to feed them the information. What would anyone do in Microsoft's situation? Not give the potential competitor the information they need to successfully compete with Microsoft of course. With their regular abuse of this power which is decidedly in violation of the Sherman Anti Trust Act, Microsoft's software invariably comes out looking superior when in fact, if they had not withheld the information, they would be on equal footing with other companies developing business solutions, and would no longer be able to create the illusion of superior workmanship and innovation. But why would a corporation whose primary concern is the bottom line share that information?

They will not.

MTC-00015157

From: Paul Varga

To: Microsoft ATR

Date: 1/23/02 8:18am

Subject: Microsoft Settlement

I'm somewhat bewildered with by how the current actions are going to prevent Microsoft from continuing to bully the market, expand its monopoly to new ones, and trample innovation.

Being a programmer, I have to keep an eye on this situation more than most. Some of the arguments that I've read that I agree with restrict the following areas:

—For better or for worse Microsoft's software has become largely dominant. The business market was taken more than most. To free this entrapped market the easiest solution appears to be releasing the source code to Microsoft's file loading and saving routines. Failing this, a full tried-and-true set of documentation would help. Some of this source code would be in the Windows API, which should be considered for opening as well. In either case, updated source code or documentation should also be released in upcoming years to maintain the effectiveness of this measure. Doing this would alleviate issues with Word Processors, Spread Sheets, Presentation, and Audio/Visual Multimedia formats. That's a large effect for seemingly such a small change.

—Although this is less often thought of the network protocols behind Windows and much of Microsoft's software is a barrier at least as large as Microsoft's file formats. The already existant formats are largely conquered by independent and inquiring minds. The one exception that I know of is Microsoft's DirectPlay, part of DirectX. The protocol documentation behind this released to the public as well. However, that does not protect the future. Microsoft should be barred from writing protocols that are not open and standardized by internation bodies in the future. Making this enactment retroactive (applying to all existant protocols) would also aid our efforts to make the work seamless and give people choice.

—Microsoft should not be able to so easily bundle its products with new computers that are sold. Not only would this give a chance to competing operating systems, it would lower the effectiveness of Microsoft's "bundle to make dominant" strategy with its Windows included products.

Thank you for your time,
Paul Varga

MTC-00015158

From: (126) (b)
To: Microsoft ATR
Date: 1/23/02 8:18am
Subject: Microsoft Settlement

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices. Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at 40%).

This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.

Matt Turnipseed
0134 Rutherford Hall
Athens, GA 30609

MTC-00015159

From: Daniel Wright
To: Microsoft ATR
Date: 1/23/02 8:18am
Subject: Microsoft Settlement

The proposed Microsoft settlement is bad and should not be accepted.

MTC-00015160

From: jewell@SEISMICMICRO.com@inetgw
To: Microsoft ATR
Date: 1/23/02 8:16am
Subject: Microsoft Settlement
Good morning,

I work as a consultant developing Microsoft Windows applications. In the past, I've watched Microsoft abuse their dominant/monopoly position in the industry. Looking at the proposed settlement where Microsoft gets to seed computers in schools as a "punishment" is beyond just wrong... it's offensive to me.

I don't believe the settlement will lead to any positive result.

Sincerely,
James Ewell
45 Hollingers Island
Katy, TX 77450

MTC-00015161

From: Joshua P Harley
To: Microsoft ATR
Date: 1/23/02 8:18am
Subject: Microsoft Settlement
Regarding the Microsoft settlement, I do NOT believe that the current proposal penalizes Microsoft in any way.

Microsoft is a very large and overbearing monopolistic company, so you need to provide very large and overbearing penalty.

The current proposal is way too narrowly defined, giving Microsoft every chance to by pass this attempt at a "punishment".

Sincerely,
Joshua Harley
5009 Pioneer Drive
Lafayette, IN, 47905

MTC-00015162

From: Thibault, Steven
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:09am
Subject: Microsoft Settlement

This proposed settlement seeks to put Microsoft under restrictions for a time period and if they do not follow the restrictions the time period is extended. What is going to make Microsoft stop doing what has been decided to be in violation of the Sherman Antitrust act if they will simply be put under restrictions of the kind that they have not followed before. Also if they don't follow the restrictions in the first time period, what will extending the time period of those restrictions do. They will just be in violation of the restrictions longer. Still nothing will have changed and nothing is stooping Microsoft from using its monopoly in an anti-competitive way.

I would hope the Department of Justice will seek a way to truly make Microsoft realize that they should not do the things that have been decided as wrong. If I had a chance to decide I know that putting a some sort of large fine on them will definitely make Microsoft at least listen, and think of what can be done with that money. It could be given to schools in the form of grants to help them get caught up in technology. I could be donated to universities for advancing research, or even ease the cost of securing our country from terrorists which is on the front of all our minds after the recent events.

Steve Thibault
Concerned citizen and concerned Software developer.

Steve Thibault
Consultant in Engineering Systems
Engineering Systems—IS Norwood
steve.thibault@fmglobal.com
781-440-8474

MTC-00015163

From: Chris Cleary
To: Microsoft ATR
Date: 1/23/02 8:19am
Subject: Microsoft Settlement
Your Honor,

Microsoft Corporation is a successful company, providing to me as an individual consumer an excellent product. I had the personal choice to purchase other products, other software, and other computers; I chose not to. I selected my computer and loaded my software on it.

From my perspective, I have no problem with Microsoft. It does appear as if its competitors do have a problem with Microsoft's success since they originated the action. If these competitors had shown to me that their product was superior to the Microsoft product and a better value, I would have purchased theirs.

However, based upon my personal needs and situation, the Microsoft product satisfied it better and completely.

As an agent of the government and the government itself, the primary responsibility you have is to protect the property of a citizen. Do so in this case, leave Microsoft's property alone, leave Bill Gates, a model for success for generations of people, and his property in tact, and, most importantly, stay away from my property.

Thank you,
Chris Cleary
Fairfield, OH
CC:letters@capitalismmagazine.com @
inetgw.activism@mor. . .

MTC-00015164

From: Tucker, Phil
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:22am
Subject: Microsoft Settlement
its a bad Idea

MTC-00015165

From: Matt Christoff
To: Microsoft ATR
Date: 1/23/02 8:07am
Subject: Microsoft Settlement

The settlement is a bad idea. A breakup is the only solution to restore competition. There can be no effective solution that doesn't solve the problem of the operating systems complexities being withheld from competing companies who create windows software. These competing companies are always at a hopeless disadvantage. They attempt to compete against the hand that can choose to feed them the information they need to compete, or not to feed them the information. What would anyone do in Microsoft's situation? Not give the potential competitor the information they need to successfully compete with Microsoft of course. With their regular abuse of this power which is decidedly in violation of the Sherman Anti Trust Act, Microsoft's software invariably comes out looking superior when in fact, if they had not withheld the information, they would be on equal footing with other companies developing business solutions, and would no longer be able to create the illusion of superior workmanship and innovation. But why would a corporation whose primary concern is the bottom line share that information?

They will not.

MTC-00015166

From: Paul Marcus
To: Microsoft ATR
Date: 1/23/02 8:20am
Subject: Microsoft Settlement

the settlement as it stand is a bad idea because it doesn't fully address the problem in a couple of areas. 1. the monopoly is still in effect. 2. It does nothing to take Microsoft's stranglehold off the PC market. 3. "Free software" by Microsoft does basically

nothing as far as damages. I am totally against the judgement as it stands.

Paul Marcus

MTC-00015167

From: Thibault, Steven
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:10am
Subject: Microsoft Settlement

I don't like the settlement. I think it is a bad idea.

Steve Thibault
Consultant in Engineering Systems
Engineering Systems—IS Norwood
steve.thibault@fmglobal.com
781-440-8474

MTC-00015168

From: kraxzor
To: Microsoft ATR
Date: 1/23/02 8:20am
Subject: Microsoft Settlement

Hello,

I am writing this e-mail to voice my concern with the proposed Microsoft settlement. First of all, too little too late. Microsoft has been abusing its position as a MONOPOLY for YEARS. First it was Apple, then it was Netscape who's next? It is unfortunately not common knowledge that Microsoft integrated their browser in to their OS there by completely by-passing the need for an alternative, and that was only AFTER they gave it away for free (the browser) which they could afford to. Where as Netscape could not.

Next on the long list of issues is Apple, where on earth do you think Windows got its GUI guidelines from? And it continues to do so just look at MacOS X and Windows XP (one was released about one year before the other, it is needless to say which). Look at QuickTime for Windows, look at Java for Windows, look at OpenGL for Windows, all technologies made by third-parties that have been muscled out by Microsoft. But there is little that can be done about some things so far back in computer history. However we can prevent it from happening in the future. Microsoft's monopoly must be terminated, sharply, very near in the future before more technologies are strangled by this giant.

Although I feel that ALL of the propositions to settle the case are INSUFFICIENT I believe at the very least the company should be broken up in to smaller divisions and fined. In particular seperate the browser for the OS and any add on technologies.

Thank you for reading/listening,
N Stefanov

MTC-00015169

From: proberts@gargoyle. users. patriot.net@inetgw
To: Microsoft ATR
Date: 1/23/02 8:21am
Subject: Microsoft Settlement

Dear Sir or Madam,

I believe that the proposed settlement with Microsoft is an extremely bad idea. The proposed settlement does nothing to hinder Microsoft from repeating its past abuses of monopoly power and indeed rewards them with an increased user base in the educational market.

Paul D. Robertson

Paul D. Robertson "

My statements in this message are personal opinions which may have no basis whatsoever in fact."

proberts@patriot.net

MTC-00015170

From: James Jones
To: Microsoft ATR
Date: 1/23/02 8:20am
Subject: Microsoft Settlement

I hope that you will reject the toothless settlement of the (current) Microsoft antitrust trial; it sounds good in some ways, but the devil is in the details:

—The disclosure requirements very carefully let Microsoft avoid disclosure to Open Source software writers, who are a major source of alternatives to Microsoft products.

—Concerns have even been raised that the language of the settlement allows Microsoft to evade disclosure of its API (Application Program Interface). Microsoft has in the past modified its API as implemented in win32s.dll with the sole intent of breaking compatibility with OS/2, and it has considerable motivation to make similar changes with the sole goal of breaking compatibility libraries such as WINE, Odin, and competing products such as Lindows.

—The settlement does nothing to prevent Microsoft's "embrace and extend" tactics that allow it to subvert public standards and perceived threats such as Java.

—The settlement does not prevent Microsoft from retaliating against OEMs that wish to offer computers without any operating system so that the purchaser may choose whatever operating system he or she wishes to run.

—The settlement does nothing to allow competing software to use files with proprietary Microsoft formats, such as Microsoft Word (.doc) files.

Microsoft is notorious for blatantly ignoring prior antitrust settlements, and I have no reason to suppose that it will not do the same with this one.

James Jones
9557 University #14
Clive, IA 50325

MTC-00015171

From: Ben Snyder
To: Microsoft ATR
Date: 1/23/02 8:21am
Subject: Microsoft Settlement

The following statements about the Microsoft-DOJ settlement are submitted under the provisions set forth by the Tunney Act.

Section III.D:

According to the settlement, Microsoft must disclose "via the Microsoft Developer Network ("MSDN") or similar mechanisms, the APIs and related Documentation that are used by Microsoft Middleware to interoperate with a Windows Operating System Product."

It should be made known that the least expensive, also the most basic, MSDN subscription is approximately \$200. This may be cost prohibitive to an extremely small software firm, and possibly even more so to

an individual who may desire to develop software for the Windows Operation Systems. If someone were developing software for free distribution, it is doubtful the individual would be able to justify the cost of obtaining the documentation for the APIs.

Section III.J.1:

According to the settlement, Microsoft will not be required to "document, disclose or license to third parties: (a) portions of APIs or Documentation or portions or layers of Communications Protocols the disclosure of which would compromise the security of a particular installation or group of installations of anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems, including without limitation, keys, authorization tokens or enforcement criteria."

Who decides if the APIs in question fall into these categories? If there is no requirement to even document the existence of these APIs, then their existence and purpose may be perceived differently by each individual, and therefore there is no consensus on if the APIs in question fall into the categories listed above.

Overall, it can be said that the settlement overly favors business, even the defendant is given too much favor in some cases. By favoring business rather than the populace, the monopolistic characteristic of difficulty in entering the market still exists, making it difficult for a small firm or individual from competing fairly.

MTC-00015172

From: Timothy Lawless
To: Microsoft ATR
Date: 1/23/02 8:20am
Subject: Microsoft Settlement

I believe that the proposed settlement to the Microsoft Antitrust case is an incomplete solution that will not resolve the underlying business practices that have choked out competition out of the PC software markets.

Specificly:

I. The definition of the "Windows Operating System Product" is too narrowly defined, and will thus permit microsoft to leverage their past wrongs by slightly changing their Operating System product to fall outside of the definition.

It is proposed that Definition "U." should read: "Windows Operating System Product" means any software or firmware code distributed commercially for given away free of charge by Microsoft that is capable of executing any subset of the Win32 APIs or a derivate thereof, including with out exclusion Windows 2000 Professional, Windows XP Home, Windows XP Professional, Windows XP Tablet PC Edition, Windows CE, Pocket PC 2002, and successors to the forgoing, including the products currently code named "Longhorn" and "Blackcomb" and their successors, including upgrades, bug fixes, service packs, subscriptions, etc.

II. Section E Permits mircooft to develop proprietary APIs for Microsoft products that will enable those products to have an unfair competitive advantage over published, likely less efficient APIs.

It is proposed that Section E be ammended by striking: for the sole purpose of

interoperating with a Windows Operating System Product" and inserting: for the purpose of interoperating with a Windows Operating System Product or with application software written for Windows,

III. Section III, A, 2 of the Proposed final judgement is worded in such a way that will allow Microsoft to use pricing arrangements to force vendors to continue to sell Microsoft loaded hardware, when other competitive operating systems are present. It is proposed the section be amended by adding: or (c) includes a non-Microsoft Operating System but no Microsoft Operating System Product; or

Again, I believe that the settlement is Bad for the Public, Bad for the Competition, and only good for Microsoft. I urge you to throw out the proposed settlement.

Tim Lawless
Security Consultant,
Sterling VA, 20165

MTC-00015173

From: Jaysyn
To: Microsoft ATR
Date: 1/23/02 8:21am
Subject: Microsoft Settlement

I think the proposed settlement is a bad idea. They have been hurting small companies like the one I work for by disallowing competition on the desktop. They should go to corporate prison for a few years.

Thanks
Jason Collins

MTC-00015174

From: Chris Peterson
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:20am
Subject: Microsoft Settlement

After reading the proposed Microsoft settlement, I feel this does not address all of the issues that pertain to the real world effects of Microsoft's anti-competitive practices. I feel the judgment needs to be revised in favor of a more strict proposal against Microsoft, one which would allow better competition. Thank you for taking the time to read my opinion!

Chris Peterson
Gainey Transportation
IS Department
1-800-669-8658 ext 286
cpeterson@gts.gaineycorp.com

MTC-00015176

From: Steve
To: Microsoft ATR
Date: 1/23/02 8:21am
Subject: Microsoft Settlement

You Honor,

The settlement offer by Microsoft (MS) I consider an insult to the court. Per my understanding there's supposed to be a penalty, but in actuality is, in my professional opinion, a huge business opportunity for MS. MS should not give away free CD's for pennies on the dollar only to have a hole new market opened up for them in five years.

A much better solution, as offered by RedHat, is to have MS spend the same amount buying computers for the schools. Then, RedHat will donate not only the Operating System for free, for life. But also

lots of software that can be used in any fashion the schools feel.

This would then create about 70 computers per school rather than the 30 MS solution would.

Sincerely,
Steve Szmidt

MTC-00015177

From: Paul Lupa
To: Microsoft ATR
Date: 1/23/02 8:21am
Subject: Microsoft settlement
Sirs,

As an End user and small reseller of Microsoft products. The terms of the settlement are not acceptable, nor do they preclude Microsoft from continuing in its current mode of Monopolistic behaviour.

Please! this settlement is not good for Me, The computer industry, The US.

I have been hurt by Microsofts practices and the proposed settlement will NOT address the problem.

Thanks,
Paul Lupa

MTC-00015178

From: Wayne Wylupski
To: Microsoft ATR
Date: 1/23/02 8:23am
Subject: Microsoft Settlement

Dear Sirs:

The proposed Microsoft settlement does not go far enough to prevent Microsoft from engaging in monopolistic practices. The proposed settlement does not consider competing operating systems that are Windows compatible.

This Proposed Final Judgement should not be adopted without substantial revision.

Wayne Wylupski

MTC-00015179

From: Jim Hurd
To: Microsoft ATR
Date: 1/20/02 10:26pm
Subject: Microsoft Settlement

I do not agree with the proposed settlement. I support Dan Kegel's remedy at <http://www.kegel.com/remedy/remedy1.html>.

Jim

MTC-00015180

From: Richard C Hutchison
To: Microsoft ATR
Date: 1/23/02 8:23am
Subject: Microsoft Settlement

To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future.

The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct

or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,
Richard C. Hutchison, CQIA
Student, George Mason University
Fairfax, VA

MTC-00015181

From: Ric Conley
To: Microsoft ATR
Date: 1/23/02 8:28am
Subject: Microsoft Settlement

The settlement is a bad idea. It will not stop Microsoft's behavior at all.

Richard Conley

MTC-00015182

From: Jason Giglio
To: Microsoft ATR
Date: 1/23/02 8:22am
Subject: Microsoft Settlement

Dear Sirs,

As a worker in the computer field, I am in daily contact with many computer software products. Computers continually amaze me at what they are capable of doing. I am lucky, though; I am savvy enough to be able to seek out alternatives to Microsoft products.

There are millions of other people who use computers, but who are not savvy enough to install their own Operating Systems. Those people just use what comes on the computer, and don't see the other options.

This is a direct result of Microsoft abusing their monopoly power in pressuring OEMs to give them exclusive deals, and pressuring OEMs to exclude any other options on the desktop.

This, however, is just the tip of the iceberg. I am continually confronted with minor ways that MS abuses their monopoly power, ways that less computer savvy people never notice.

One example is the Starband Internet service. Microsoft is a large investor in Starband, and the influence shows. It is impossible to use an operating system other than MS Windows on a computer attached to a Starband satellite Internet system. Advocates of alternate operating systems have asked for the specifications to allow a driver to be written for other operating systems, but Starband has refused.

Another example is the MSN Internet service. It can be used on non-Windows platforms, but one cannot send and receive email, due to Microsoft using a proprietary standard for email on their service that only works with Microsoft Outlook. Microsoft also blocks the running of one's own mail server, which would allow one to avoid using the Microsoft servers with their incompatible protocol.

Yet another example is the Microsoft File and Print Sharing protocol. A program has been developed for Linux/UNIX operating systems named Samba. Microsoft has consistently changed subtle parts of their file sharing protocol, in attempts to break any programs that attempt to interoperate with Windows on a non-Windows platform.

We must not allow this monopoly to continue abusing their position of power. An easy settlement of the case, with a mere slap on the wrist of Microsoft, is not enough.

The Proposed Final Judgement fails to address these issues of deliberate incompatibility, it would do nothing to address the important issues that I face every day as a person who has to attempt to design systems to interoperate with Microsoft Systems. The Proposed Final Judgment as written allows and encourages significant anticompetitive practices to continue, would delay the emergence of competing Windows-compatible operating systems, and is therefore not in the public interest. It should not be adopted without substantial revision to address these problems.

Jason Giglio
Information Technology Coordinator,
Smyth Companies, Bedford VA
Phone: 540-586-2311x113
e-mail: jgiglio@smythco.com

MTC-00015183

From: Steve Schmeiser
To: Microsoft ATR
Date: 1/23/02 8:23am
Subject: Microsoft Settlement

I do not agree nor support the Microsoft settlement in its current form. It does not do enough to punish Microsoft, and more importantly it does nothing to encourage innovation in the sector. The information age was built on an open architecture and as a result we experienced a golden age of innovation that brought us the Internet. If Microsoft is allowed to keep our current architecture behind closed doors, innovation will be inhibited and progress will be slow.

Thank you for your time,
Steve Schmeiser
1402 Laurel St.
Iowa City, IA 52240

MTC-00015185

From: Kevin O'Shaughnessy
To: Microsoft ATR
Date: 1/23/02 8:25am
Subject: Microsoft Settlement

I do not support the settlement in Microsoft's antitrust suit. It fails to address the truly anticompetitive stranglehold that Microsoft has on the computing field in general.

MTC-00015186

From: Conlan Adams
To: Microsoft ATR
Date: 1/23/02 8:26am
Subject: Microsoft Settlement

I would just like to say that I believe the proposed Microsoft Settlement is bad. I don't believe it properly punishes a convicted monopolist. Thank you for your time
Conlan Adams

MTC-00015187

From: John (038) Rebecca

To: Microsoft ATR
Date: 1/23/02 8:21am
Subject: Microsoft Settlement
To Whom It May Concern:

I would like to state my opposition to the proposed Microsoft anti-trust case by the US Department of Justice.

As a convicted monopolist, Microsoft needs to be punished for its actions.

Nothing in the proposed settlement from the DOJ actually punishes Microsoft.

Thank you,
John Jablonski
3750 N. Oak Park Ave
Chicago, IL 60634
773-545-3199

MTC-00015188

From: Will Walker
To: Microsoft ATR
Date: 1/23/02 8:26am
Subject: Microsoft Settlement

As a citizen of the United States I wish to formally make it known that I do not approve of the limited measures that have been done to censure and punish the monopoly Microsoft.

Will Walker
Box B4, North Greenville College,
Tigerville, SC 29688

MTC-00015189

From: Robert Minvielle
To: Microsoft ATR
Date: 1/23/02 8:25am
Subject: Microsoft Settlement

To whom it may concern,
I feel that the proposed settlements in the Microsoft case are poor. The punishment in this case does not fit the crime, and I would perhaps compare it to a murder trial where the defendant is found guilty but given one year in jail with the possibility of being let out early on good behaviour as the punishment.

The company is too large and too all-encompassing for this matter to be taken lightly. There is no innovation in the desktop marketplace and dare I say in any marketplace in which Microsoft has a interest. To summarize, I feel that harsher penalties should be imposed on Microsoft. These penalties should be well thought out in terms of competition and the market, perhaps by an entity that has been here for some time and has nothing to gain or lose by this. Perhaps the EFF (electronic frontier foundation)?

Thank you for your time.
Robert Minvielle
Electronics Programmer Specialist
University of Notre Dame

MTC-00015190

From: Poriss, Jason S113
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:30am
Subject: microsoft settlement

I would like to make a few short comments regarding the proposed Microsoft anti-trust settlement. I feel that Microsoft should not be allowed to include any middleware products, regardless of whether others are allowed to compete. Microsoft, by all means, should be allowed to create programs such as browsers, MP3 audio players, video players, disk defragmenters, etc. However, they should

have exactly the same integration tools available to them as competing companies. In all likelihood the only way to ensure this would be to split the Microsoft OS from the rest of Microsoft, although that apparently is no longer an option.

Let me draw a short picture which illustrates the destructive effect Microsoft has on competition. Several years ago, I bought a Microsoft operating system so that I could use my computer's hardware. Then I bought and installed several programs which allowed me to do tasks I needed to do, for example:

- * Audio Player > WinAmp
- * Disk Defragmenter > Disk Keeper
- * Browser > Netscape Navigator
- * Video Player > QuickTime
- * System tools > Norton Utilities
- * Web Server > Apache

The list goes on and on... today however, I don't need to buy any of the above third party tools, my system looks more like this:

- * Audio Player > Microsoft Media Player
- * Disk Defragmenter > Microsoft Disk

Defragmenter

- * Browser > Microsoft Internet Explorer
- * Video Player > Microsoft Media Player
- * System tools > Microsoft Scan Disk
- * Web Server > Microsoft IIS

This is not a picture of healthy competition.

Jason T. Poriss

MTC-00015191

From: jim beam
To: Microsoft ATR
Date: 1/23/02 8:27am
Subject: Microsoft Settlement

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices. Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of its competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition. Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.

MTC-00015192

From: Josh Draper
To: Microsoft ATR
Date: 1/23/02 8:16am
Subject: Microsoft Settlement

I am very unhappy with the proposed settlement between the United States and Microsoft Corporation. The original plan really showed that Microsoft had done

something wrong, and would actually punish the corporation. This one is a slap on the wrist, and seems to say that as long as you've got enough money you don't have to worry about justice. Do the right thing, and don't give in to pressure to settle just because it's a huge corporation.

Thank you,
Joshua E. Draper
Conway, Arkansas, United States

MTC-00015193

From: dstetson@sst.ll.mit.edu@inetgw
To: Microsoft ATR
Date: 1/23/02 8:27am
Subject: Microsoft Settlement

I would like to take this opportunity to address one of the reasons I believe the Proposed Final Judgement is insufficient. Even though the "Findings of Fact" paragraph 20 and 39 indicate that the fact that the file formats used by Microsoft applications are undocumented constitutes a barrier to entry, there is nothing in the PFJ that obligates the documentation of these formats. This leads to a requirement that to communicate within a workplace, if a significant number of people are using Microsoft applications, that everyone must use them, and must therefore use Microsoft operating systems. Microsoft thus uses their monopoly to leverage further application sales. As this is not addressed in the PFJ, the PFJ is therefore insufficient.

The opinions expressed are my own, and not necessarily those of either Lincoln Laboratory or the Massachusetts Institute of Technology.

Douglas E. Stetson
Melrose, MA 02176
Doug Stetson
Staff
MIT Lincoln Laboratory
Voice: (781)981-4530
Email: dstetson@ll.mit.edu
<http://www.ll.mit.edu/>
Information Systems Technology Group
<http://www.ll.mit.edu/IST>

MTC-00015194

From: Tom Testa
To: Microsoft ATR
Date: 1/23/02 8:27am
Subject: Microsoft Settlement

Hello,
I just want to send an Email saying that I support the settlement between Microsoft and the U.S. government. It is my strong belief that those companies and individuals who are against this wish only to replace Microsoft, not to stimulate innovation. Companies like AOL, SUN Microsystems, and groups such as the Linux community all have a large stake in seeing Microsoft fail. They seek a shift in the balance of power. This is not good for our economy and it is not good for the consumer. Destroying MS only benefits a small group who will be just as bad, or worse, if they were in the same place. I think the right thing to do is to settle this and to move on.

Thanks for your time
Thomas J. Testa Jr.

MTC-00015195

From: MarenG4@aol.com@inetgw
To: Microsoft ATR

Date: 1/23/02 8:27am

Subject: Microsoft settlement

I believe that the settlement is a bad idea. I am a WINE user and a U.S citizen. Please find some other way of rectifying the situation.

Mariann Grantham

MTC-00015196

From: Brantley, Paul SWL CONTRACTOR
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:27am
Subject: Microsoft Settlement

Please slow this company down, they are going to ruin the US by way of Security breaches.(through security wholes)

MTC-00015197

From: Greg Bossert
To: Microsoft ATR
Date: 1/23/02 8:28am
Subject: Microsoft Settlement
To: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement. In general, I agree with the problems identified in Dan Kegel's analysis (on the Web at <http://www.kegel.com/remedy/remedy2.html>), in summary:

1. The PFJ doesn't take into account Windows-compatible competing operating systems
2. The PFJ Contains Misleading and Overly Narrow Definitions and Provisions
3. The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft
4. The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft
5. The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs
6. The PFJ as currently written appears to lack an effective enforcement mechanism.

As a computing professional of 22 years standing, and as an active member of the Internet Engineering Task Force (IETF) and other international standards bodies, I agree in detail with Mr. Kegel's analysis, which I will not reproduce here. To give one personal example, however, let me give a case of point 4 above: the introduction of intentional incompatibilities to delay or derail competitive development efforts. As part of my efforts with the IETF and the Apache Software Foundation, I participated in the standardization of the WebDAV specification—a mechanism to allow documents to be maintained via the World Wide Web—and worked on developing a freely available references implementations for Apache and for the freely available Perl programming language. Note that the release of a freely available reference implementation is a requirement for IETF standards. Before the standard was officially finalized, and thus before completion of the freely available reference software, Microsoft released support for WebDAV with proprietary extensions and incompatibilities as a fully integrated part of their Windows

2000 operating system. The lack of interoperability between this Microsoft version of WebDAV and the standards-based development effectively stopped significant development of the freely available implementations, in this case before the standard was even officially published. At this point I know of no significant implementation of the actual standardized version of WebDAV that might compete against the Microsoft Windows 2000 version. I believe that the Proposed Final Judgment as written allows and encourages significant anticompetitive practices of this type to continue, and would delay the emergence of competing Windows-compatible operating systems. Therefore, the Proposed Final Judgment is not in the public interest, and should not be adopted without addressing these issues. Many thanks for your attention, and for your efforts on this matter.

Sincerely,
Greg Bossert <bossert@fuaaim.com>

MTC-00015198

From: Ben—Carden@lcca.com@inetgw
To: Microsoft ATR
Date: 1/23/02 8:28am
Subject: Microsoft Settlement

Regarding the Microsoft case, I do not believe Microsoft will be properly punished by this ruling. They have created a monopoly that, like the case against AT&T, should now be ran by the government until it's marketshare is reduced to reasonable levels. (e.g. 40%)

Thank you for your time,
Ben Carden
6312 Champion Road
Chattanooga, TN. 37416

MTC-00015199

From: aetius
To: Microsoft ATR
Date: 1/23/02 8:28am
Subject: Microsoft settlement

I take issue with a specific part of the proposed settlement agreement: "No provision of this Final Judgment shall:

1. Require Microsoft to document, disclose or license to third parties: (a) portions of APIs or Documentation or portions or layers of Communications Protocols the disclosure of which would compromise the security of a particular installation or group of installations of anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems, including without limitation, keys, authorization tokens or enforcement criteria; or (b) any API, interface or other information related to any Microsoft product if lawfully directed not to do so by a governmental agency of competent jurisdiction.

2. Prevent Microsoft from conditioning any license of any API, Documentation or Communications Protocol related to anti-piracy systems, anti-virus technologies, license enforcement mechanisms, authentication/authorization security, or third party intellectual property protection mechanisms of any Microsoft product to any person or entity on the requirement that the licensee: (a) has no history of software counterfeiting or piracy or willful violation of intellectual property rights, (b) has a

reasonable business need for the API, Documentation or Communications Protocol for a planned or shipping product, (c) meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business, (d) agrees to submit, at its own expense, any computer program using such APIs, Documentation or Communication Protocols to third-party verification, approved by Microsoft, to test for and ensure verification and compliance with Microsoft specifications for use of the API or interface, which specifications shall be related to proper operation and integrity of the systems and mechanisms identified in this paragraph."

Section 1 here is supposed to prevent Microsoft from having to release API documentation that is seen as a security risk. The problem is that almost ALL communications protocols have security provisions as an integral part of the protocol—thus, this section essentially gives Microsoft the green light to block full API disclosure on the grounds that it would violate the security of the protocol. Without full API disclosure, you might as well hang it up, as no competing developers will be able to implement competing products. You can't half-disclose an API; it is an all-or-nothing approach. Half-disclosure, *especially* in relation to security provisions, means only half-functioning "competing" products.

Further, this argument about "protecting security" is at most debatable. It has been repeatedly shown that Microsoft's proprietary protocols have suffered from numerous security breaches and problems. The term most often used for this in the computer security field is "security through obscurity", which is almost universally denigrated as an effective means of securing the product or protocol. There is even a competing argument that full disclosure is a far superior method of ensuring that products and protocols are reasonably secure. Regardless of where you stand on this argument, this section is an easy out that Microsoft can use to continue business as usual.

Section 2(a), (b), and (c) are a license to discriminate against open-source software providers like Red Hat, Inc and the Apache foundation. The term "willful violation of intellectual property rights" is nebulous—what does that mean? Does it include companies that license their software under the GNU Public License, which enforces source code revelation? Microsoft certainly sees Free Software and Open Source software to be "virus-like" and opposed to intellectual property rights. Microsoft also sees Linux and Free/Open Source software as a primary competitor, so this section is allowing Microsoft free reign to operate against it's greatest threat, and continue to exclude Open Source and Free Software developers from any sort of API disclosure or assistance with inter-operation. It is extremely doubtful that Microsoft will see Free Software or Open Source software as having a "reasonable business need" for the API, since most developers in the Free Software/Open Source communities don't have businesses. Links to Microsoft's view of Linux and the Free Software/Open Source community:

<http://www.theregister.co.uk/content/1/12266.html>

<http://content.techweb.com/wire/story/TWB20010110S0006>

<http://www.suntimes.com/output/tech/cst-fin-micro01.html> (use Google cache)

The remedy to this portion of the agreement is simply to enjoin Microsoft to release the API documentation to anyone who asks. Only that will allow the thousands of developers world-wide who participate in Open Source and Free Software development to make their products inter-operable with Microsoft products. If this is not remedied, a huge portion of the competitive market is tacitly eliminated by this agreement. Section 2(d) is ill-defined, and could be abused. The entire agreement seems to be designed around trying to make Microsoft inter-operate with other vendors and not step on them or introduce default competing products/services, or at least that is the way that it sounds. Section 2(d) reduces the effectiveness of all the other provisions because it allows Microsoft to control (through "compatibility testing") what software can and cannot be run on Microsoft operating systems. The argument was probably that this would only cause a delay in the release of the software if it was found to be "incompatible"; however, such "delays" could easily turn into delays that put companies under, or the cost could be so high that companies couldn't afford to pay, and of course private individuals would be completely unable to pay (since they can't even produce an "authentic and viable business need" to run the software, let alone certify it).

Section 2(d) needs to be redefined, especially with relation to competing Free Software and Open Source products, and with relation to Microsoft approval of what software runs on their OS. The third-party stipulation is worthless (and could even be counter-productive) since it must be Microsoft approved, which would engender an environment where the third-party certification authority would bow to Microsoft's demands—they either do what Microsoft wants, or they lose the business, and certification is delayed (along with competing products) while Microsoft finds a certification partner that WILL do what they want. There is no stipulation on what constitutes "approved" by Microsoft.

In summary, this agreement does not achieve what it seeks to accomplish. It allows Microsoft to force commercial ISV's to get their software approved before it can run on Windows, and it blocks the disclosure necessary for Microsoft's primary competition, Free and Open Source software, to continue to compete against and inter-operate with Microsoft products. Please do not allow this agreement to be settled; it would make the entire anti-trust suit a depressing waste of time and money.

Matthew Drew
1310 Copper Creek Drive
Durham, NC 27713

MTC-00015200

From: Dan Mindler
To: Microsoft ATR
Date: 1/23/02 8:28am

Subject: Microsoft Settlement

Dear Sir/Madam,

Being a software professional for over 15 years, I believe the Proposed Final Judgment in the US v. Microsoft case does NOT go far enough. For over a decade, I've watched Microsoft grow into a monopoly, using its tremendous marketing/financial resource to unfairly crush competition.

I agree with the comments on the PFJ displayed at <http://www.kegel.com/remedy/remedy2.html>

Respectfully,
Dan Mindler
Somerset, NJ
dmindler@yahoo.com

MTC-00015201

From: Fuchs, Dan 6334 DUR HWS
To: Microsoft ATR
Date: 1/23/02 8:27am
Subject: Microsoft Settlement

The settlement is a bad idea. Caving into microsoft will just lead to more of the same.

Dan Fuchs
Durham, NH 03824

MTC-00015202

From: Brad Rittenhouse
To: Microsoft ATR
Date: 1/23/02 9:24am
Subject: Microsoft Settlement
Renata B. Hesse
Antitrust Division
U.S. Department of Justice

I am sending this as a concerned citizen to comment on the proposed Microsoft settlement. I am a professional software developer who has been writing software for the Windows operating system since 1994 and hold a B.S. degree in computer science.

Specifically I am concerned with the portion of the settlement that supposedly makes Microsoft publish its Windows API. I think the idea is great but the settlement defines "API" so narrowly that it would do little good to the development community. Microsoft already makes available portions of its API that allow developers to write software for Windows. The settlement defines API to mean the interface between Microsoft Middleware and Microsoft Windows. This doesn't include all other API's that Microsoft uses.

I would propose that Microsoft must make available and document all DLL (Dynamic Link Library) entry points that it's software uses in ALL Microsoft products. This can be checked or easily checked by a layman to know if each function is documented, but of course would require a more experienced person to know if they did this correctly. Please consider updating the settlement and keeping Microsoft from continuing to stifle competition and software in general.

Thank you,
Brad Rittenhouse (bradr@sunsmoke.org)

MTC-00015203

From: Michael J. Novak Jr.
To: Microsoft ATR
Date: 1/23/02 8:30am
Subject: Microsoft settlement

Hello. Personally, I use both Microsoft Windows 98se and Mandrake Linux. They are both good operating systems. However, any settlement that allows Microsoft to

expand their monopolistic base is a bad settlement. My understanding is that, as part of the settlement, they will donate computers and software (including their operating systems) to schools. By doing so, they are in fact expanding their user base, which would fly in the face of all logic regarding this issue. It doesn't seem like much of a "penalty", does it?

If I am wrong about this, then I apologize for wasting your time in reading this. If I am right, then you need to correct this situation, because they are pulling a fast one on you!

Either way, thank you for your time.

Sincerely,

Michael J. Novak Jr.

Parma Hts., Ohio, USA

MTC-00015204

From: Bruce Jeffries

To: Microsoft ATR

Date: 1/23/02 8:30am

Subject: Microsoft%20Settlement

I am writing to you to REJECT the MS settlement. It is too little for such egregious behavior.

MTC-00015205

From: Christopher W. Hunter

To: Microsoft ATR

Date: 1/23/02 8:31am

Subject: Microsoft Settlement

I am writing due to my concern over the very inadequate settlement in the Microsoft case. The negotiated "slap on the wrist" settlement is very inadequate for a monopoly on the scale of Standard Oil and the former Bell system. As an American old enough to remember the telephone monopoly I feel that unfortunately that kind of "draconian" breakup is the only way to "open up" the computer operating system market and break Microsoft's monopoly power.

Christopher Hunter, Augusta, Maine

MTC-00015206

From: Shane Killian

To: "microsoft.atr(a)usdoj.gov"

Date: 1/23/02 8:40am

Subject: Tell Microsoft NO!

Microsoft should not be able to get away with playing unfairly with the industry. At the very least, every single Windows API should be opened, along with every protocol, so that competing companies can build software with the same features and stability as Microsoft can. Currently, Microsoft's claim to superiority in software comes about solely because these APIs and protocols are kept secret, therefore they are the only ones that can benefit from them. All other software manufacturers have to kludge a workaround. This would also allow for competing operating systems—such as WINE and Lindows—to be easily made with full compatibility, finally giving us some competition in the OS market.

Thank you for listening.

MTC-00015207

From: Charlotte Partridge

To: Microsoft ATR

Date: 1/23/02 8:31am

Subject: Microsoft Settlement

Good morning,

The Microsoft Settlement will not stop Microsoft from continuing predatory

monopolistic behavior. The solution is to compel Microsoft into offering a bare-bones operating system and porting its Office products to other platforms. The OS is a lever into other markets. This has to be stopped. The alternate proposal offered by the states will be more effective.

Regards,

Charlotte Partridge

1832 Joseph

Ann Arbor, MI 48104

MTC-00015208

From: Utecht, Daniel B

To: "microsoft.atr(a)usdoj.gov"

Date: 1/23/02 8:31am

Subject: Microsoft Settlement

If reference to the Microsoft anti trust settlement: Section III(J)(2) limits who can license Microsoft's API documentation and other intellectual property. Only those companies that Microsoft judges as "viable" can license the information. This would exclude smaller companies and non profit organizations, as well as any company that comes up with an original idea that Microsoft doesn't have a strategy to dominate yet.

Section III(D) limits who can get information needed to write software that interfaces directly with Windows and hardware. The Department of Defense, NASA, FBI, and our nation laboratories do not have any rights to the windows documentation needed to interface with Windows. Please reconsider these and other sections of the settlement. Thank you for your time. Daniel Utecht Kennedy Space Center, FL

MTC-00015209

From: jseba@attotech.com@inetgw

To: Microsoft ATR

Date: 1/23/02 8:28am

Subject: Microsoft Settlement

The proposed Microsoft-DOJ settlement is inadequate and insulting.

MTC-00015210

From: Paul Vinson

To: Microsoft ATR

Date: 1/23/02 8:31am

Subject: Microsoft Settlement

Greetings,

In accordance with "The Tunney Act", I would like to comment that I think the current Proposed Final Judgement misses the mark in several key areas:

1) Microsoft is not being punished for it's past violations. There is only one way to punish a monopoly: Money. There must be a fine, and it must be huge. This fine should also have no directed purpose other than be contributed to the general revenue fund. There must also be progressive fines for future violations.

2) Applications barriers for competing software companies must be stricken down with strong language that is not limited to certain Microsoft operating systems, and in the PFJ.

3) And finally, if Microsoft has become a monopoly through being a de facto standard, then let the standards be published. All API's and middleware should become an open standard, with specific requirements to publish these standards before releasing new products.

Mr. Paul Vinson (Rep)

Arnold, Missouri

MTC-00015211

From: Glenn Everhart

To: Microsoft ATR

Date: 1/23/02 8:32am

Subject: Microsoft Settlement

I think the Microsoft settlement proposed leaves far too many holes for them to continue monopolistic behavior and should be replaced by something far more drastic. A settlement needs to be forward looking and address their use of a desktop monopoly to get into other markets. TV, home computing and the like, games, and so on should be things they have to hit the same barriers as everyone else. Likewise they should not be permitted to give shortcuts to their Internet services to the detriment of all other such services just by making windows default to MSN.

Allowing that sort of thing is ridiculous.

Glenn C. Everhart, PhD.

MTC-00015212

From: Zachary Schneider

To: Microsoft ATR

Date: 1/23/02 9:00am

Subject: Microsoft Settlement

I think the proposed settlement is a bad idea.

Zachary Schneider

Systems Administrator

Village Press Inc.

MTC-00015213

From: mikee@wt6.usdoj.gov@inetgw

To: Microsoft ATR

Date: 1/23/02 8:32am

Subject: Microsoft Settlement

hello,

the offered settlement will allow microsoft to extend the monopoly indefinitely and continue the erosion of competition in software.

mike eschman, etc...

MTC-00015214

From: David Hamilton

To: Microsoft ATR

Date: 1/23/02 8:32am

Subject: Microsoft Settlement

I believe that this settlement is a very bad idea, and will only encourage Microsoft to continue with their illegal anti-competitive actions. Please break this company up, and put a stop to their practices once and for all.

Sincerely,

David Hamilton

Infoworks, Inc

Technical Consultant

MTC-00015215

From: dougr@one.net@inetgw

To: Microsoft ATR

Date: 1/23/02 8:33am

Subject: No to Microsoft anti-trust Proposed Final Judgement

I would like to register my disapproval for the Proposed Final Judgement against Microsoft. As a computer scientist and software developer, I have for years seen Microsoft's dominance and monopoly power as an impediment to the furthering of my trade. Their anti-competitive practices have made it impossible to buy a computer

without Windows (as I attempted to do last year from Dell) or MS Office (of which I already own several legal copies, but was forced to purchase again with my new Dell laptop). These kinds of licencing hurt individual computer purchasers, and will continue to do so under the proposed settlement.

Additionally, their Windows monopoly has successfully prevented other competing operating systems (OS/2, BeOS to name a few) from gaining any reasonable market share. Because of the wording of the judgement, the next version of Windows may well not fall under its terms and Microsoft will be able to continue to abuse their monopoly power with impunity. Please refuse to accept the Proposed Final Judgement and look for a more strict solution that might actually change Microsoft's business practices.

Sincerely,
Douglas Rohrer
Chief Technology Officer
Safe@Work, Inc.

MTC-00015216

From: Bob Tribit
To: Microsoft ATR
Date: 1/23/02 8:33am
Subject: Microsoft Settlement
To: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

I think the current Microsoft settlement is a bad idea. I agree with the problems identified in Dan Kegel's analysis (on the Web at <http://www.kegel.com/remedy/remedy2.html>).

Respectfully,
Robert Klein Tribit
Systems Administrator
2048 Andrea Ave.
Lindenwold, NJ 08021
USA

MTC-00015217

From: Chris Allegretta
To: Microsoft ATR
Date: 1/23/02 8:33am
Subject: Microsoft Settlement

Hello,

I am writing today to voice my disapproval of the proposed settlement in the Microsoft Antitrust trial. I see little if anything in this settlement that will stop Microsoft from further extending its operating system, office suite and web browser monopolies into other areas of computing. Further, I feel that the proposed three person committee is highly unlikely to have any control over a company with the blatant disrespect for the legal system Microsoft has shown. Thank you for your time.

Chris A
Chris Allegretta
<http://www.asty.org>
"Share and Enjoy"—Douglas Adams,
1952—2001

MTC-00015218

From: Jon Drnek
To: Microsoft ATR
Date: 1/23/02 8:32am

Subject: Microsoft Settlement

To whom it may concern:

I am writing to give my comments on the Microsoft antitrust settlement. I believe this settlement is counter to the interests of the American public, deleterious to the American economy, and not adequate given the findings of fact in the trial. Microsoft's anti-competitive practices are counter to the law and spirit of our free-enterprise system. These practices inhibit competition, reduce innovation, and thereby decrease employment and productivity in our nation. Microsoft's monopolistic practices cause the public to bear increased costs and deny them the products of the innovation which would otherwise be stimulated through competition.

The finding of fact which confirmed that Microsoft is a monopoly requires strict measures which address not only the practices they have engaged in in the past, but which also prevent them from engaging in other monopolistic practices in the future. It is my belief that a very strong set of strictures must be placed on convicted monopolists to insure that they are unable to continue their illegal activities. I do not think that the proposed settlement is strong enough to serve this function.

Thank you.
Jon Drnek
Jon Drnek
drnek@mindspring.com
<http://www.mindspring.com/~drnek>

MTC-00015219

From: Chris Chabot
To: Microsoft ATR
Date: 1/24/03 8:27am
Subject: Microsoft Settlement

Dear Sirs,

I would like to indicate that i am strongly against the proposed Microsoft settlement terms. My personal feelings are that the settlement only allows a company, who has been found to be an monopolist, is allowed to further use, and abuse its powers over the american, and world economy.

As has been shown with the colapse with enron, it is very scary when a corperation has to much power, because every quick and every misstep has a profound influence on the USA and the world as a whole. Microsoft has already been found guilty of being a predator in the market, using unfair techniekes to further propergate their desire to fully conquer the software market. In this proposed settlement we give them a signal to continue doing so!

Chris Chabot
Old county road, Maine

MTC-00015220

From: David Whitcomb
To: Microsoft ATR
Date: 1/23/02 8:33am
Subject: Microsoft Settlement

The proposed Microsoft(R) Settlement does NOT adequately constrain Microsoft(R) from acting in a anti-competitive manner. In fact, it contains many ways that Microsoft(R) could twist the terms of the Settlement to increase its anti-competitive practices.

P.S. Please note the sarcasm in the (R) marks beside Microsoft's name above.

MTC-00015221

From: Ski
To: Microsoft ATR
Date: 1/23/02 8:33am
Subject: Microsoft Settlement

Considering what Microsoft has done, the current settlement proposed by the Justice Department and the courts is a very bad idea. The Justice Department/DOJ should consider taking other action.

Frank Skorupski
ski@w1ski.com
w1ski@yahoo.com
God Bless America

MTC-00015222

From: Thom Sturgill
To: Microsoft ATR
Date: 1/23/02 8:32am
Subject: Microsoft Settlement

As a technician involved with personal computers almost since their conception, I have seen many excesses committed by Microsoft. In today's world, the "theft" of code involved in DOS 1.0 would probably have resulted in criminal charges.

Microsoft is often portrayed as "BORG" from the Star Trek TV series. This is not far from true. For example when MS decided to add internet connection sharing to their product did they develop it? No, they "innovated" by finding the small company with the most compatible product (I believe their were five products on the market) and bought them. The other four companies (I believe) are gone now as are their competing products.

Microsoft *MUST* be reigned in. Oversight of purchases (done with money that should have gone to investors in the form of dividends) should be in place to insure that they do not continue to stifle true innovation by buying and incorporating technologies to the detriment of other companies and ultimately the buying public which is robbed of choice.

MTC-00015223

From: asr@nersp.nerdc.ufl.edu@inetgw
To: Microsoft ATR
Date: 1/23/02 8:34am
Subject: Microsoft Settlement

The PFJ fails to significantly affect Microsoft's ability to use its" control in office applications against other software sectors. Microsoft has repeatedly displayed a willingness to use dominance in any sector to force advantage in other sectors. Any remedy that does not substantially restrict this, will fail to address the issues over which the suit was raised.

Allen S. Rout

MTC-00015224

From: Charles Lechasseur
To: Microsoft ATR
Date: 1/23/02 8:34am
Subject: Microsoft Settlement

hello,

I am writing to express my view of the proposed Microsoft settlement. in essence, I think it is useless. the main problem I see is that it aims to allow other *commercial* companies to see microsoft's source code, etc. however, it has now become clear that microsoft's greatest enemy is not a particular

company—it is Linux, a free, open-source operating system for PC-based computers. Linux is not maintained by simply one company or individual, but rather by a group of many individuals all over the world, donating their time for the greater good. However, they don't do it for profit, so in the wording of the proposed settlement, wouldn't get to benefit from seeing microsoft's source code, etc.

there are surely many other problems with this settlement (like the fact that MS has a word in saying which company has a business model that's good enough to warrant seeing their source—it's like asking a killer what he thinks should be his verdict, and listening to him!). however, I just wanted to point out that microsoft probably doesn't care all that much if competitors see its source code, as long as those competitors are already way behind them. they probably care about Linux more than anything, and with the settlement, Linux is case aside.

charles lechasseur—danov@sympatico.ca
http://www3.sympatico.ca/danov/
marathon/

"The butts of evil are awaiting my bootprints!"

Minsc

MTC-00015225

From: CircuitPunk
To: Microsoft ATR
Date: 1/23/02 8:34am
Subject: Microsoft Settlement

I fully disagree with the leniency afforded Microsoft in this landmark Antiv trust case. The Government is of the people, for the people and by the people. Unfortunately I no longer believe the 1st and third parts of that statement so at least keep our government for the people and hold tough against microsoft.

Will Hamilton
IS Consultant
Park Ridge, IL 60068

MTC-00015226

From: John Anderson
To: Microsoft ATR
Date: 1/23/02 8:34am
Subject: Microsoft Settlement

Good morning. I am writing to express my concern over the proposed Microsoft settlement. My primary concern is that the remedy proposed does nothing to actually penalize Microsoft for past monopolistic behavior, and does little to prevent the same kinds of abuses from occurring in the future.

For a company that has over \$35 billion dollars in cash, a "donation" of Microsoft licenses and obsolesced hardware in the amount of \$1 billion is hardly a drop in the bucket. Microsoft knows that by utilizing this settlement, they can extend their monopoly into one of the few remaining areas over which they have no monopoly power. . . the secondary education system. This is a gross abuse of the proposed settlement as it only allows Microsoft to continue their previous monopolistic behaviors, albeit with a court sanction.

I appreciate you taking the time to read my comments. I urge the court to reject the proposed settlement, as it will not discourage future monopolistic behavior.

Regards,

John Anderson
4104 Masters Way
Alpharetta, GA 30005

MTC-00015227

From: Jack Wallen
To: Microsoft ATR
Date: 1/23/02 8:34am
Subject: Microsoft Settlement
To whom it may concern,

I am writing to express my dismay at what could possibly be the single biggest injustice in the history of the United States consumers. I react in this way partially because of the state of the US economy. . . although there are many reasons.

My foremost issue is that of the state of not-for-profit in this issue. As it stands, in such passages as Section III(J)(2) of the Proposed Final Judgement, not-for-profit organizations have no rights. This is an outrage! Would you allow your church to fall under such state that it has no right to be considered when, say, a large corporation decided it wanted to take over the land where the church stood? Imagine if your church had no say in the issue—it didn't even exist? And that is basically where the not-for-profit organizations (such as the Apache group, the Sendmail group, etc) stand. The biggest "competitors" to Microsoft have no rights.

As far as I remember that was a basic foundation of this country—and it is being stripped away because Microsoft has its finger so tightly wound around politics that most all are afraid to de-sanctify this juggernaut.

I ask that you rethink this and give the not-for-profit organization their rights. America is a competitive country and it simply isn't right to remove that competitive nature so one company can go on to destroy all the competition. In a dog-eat-dog world only the strongest survive but we all know we are talking dollars here—not strength—and with Microsoft basically owning the American dollar no one has a chance.

Thank you very much.

Jack Wallen, Jr.

Track Editor—Linux/UNIX and Infrastructure
TechRepublic (CNET Networks) L I N U X
http://www.techproguild.com
502-814-7741 R O C K S

MTC-00015228

From: Francois Morvillier
To: Microsoft ATR
Date: 1/23/02 8:34am
Subject: Microsoft Settlement

I believe the proposed settlement is wrong.
regards,
Fran?ois Morvillier

MTC-00015229

From: Vincent Penquerc'h
To: Microsoft ATR
Date: 1/23/02 8:35am
Subject: Microsoft settlement

Dear Sirs,

I have to voice my opinion against the proposed settlement. Having read different comments on the proposed settlement, and being myself a computer engineer (I in fact have been into computers for more than a decade), here are a few comments on the

problems this settlement do not address. The main focus of the original trial was the inclusion of Internet Explorer in Windows 95. After pretending the two could not be separated, they did separate those. Now, however, the new Windows XP includes Internet Explorer, an affront to the DOJ and the American Government. This clearly shows the little respect Microsoft has for American Justice.

One of the companies that has suffered the most from this is Netscape Communications, which was offering a competing innovative browser. AOL, which now owns Netscape Communications, is now in a position to compete with Microsoft over the web services business and Internet services in general. This prompted Microsoft to use this tactic again with Windows XP. Not surprisingly, many AOL users have had difficulties connecting to AOL with Windows XP. Every company that gets in a position to compete with Microsoft is victim of the dominant position of chairman Bill Gates" firm to leverage the power of holding and misusing their monopoly on the operating system market. The current proposed settlement does nothing to ensure such a power can not be misused against AOL. Being a computer engineer, I see some of the provisions in the proposed settlement as ludicrous in a technical point of view. The provision of disclosing APIs does absolutely nothing to help Microsoft's own software to take advantage of assumptions about its internal working. Such assumptions, which are not part at all of an API, are very important to the building of a stable and efficient system. Only a full source code disclosure and analysis can help overcome this problem.

Last, Microsoft has shown several times that it can and will simulate popular support. The last occurrence of this is a poll on ZDNet about the popularity of several web services solutions, including Microsoft's .Net and Sun Microsystems's Java. Microsoft even already used this strategem in this very trial.

For all these reasons, I believe that:

- The proposed settlement is utterly inefficient.
- The reactions in favor of Microsoft should be seen in light of their history of "popular support".
- Microsoft's monopoly is a major threat to the American software industry, as every day that passes raises the bar a competitor has to reach to have a chance.

Competition is what has made America what it is. Countries with only one dominating player, as in the communist block, have failed to achieve what America did. In a time of recession, it is even more urgent to restore competition in the software market.

Best regards,
Vincent Penquerc'h
Powered by Microsith Lookout—http://
www.microsith.com/

MTC-00015230

From: Jonathan B Volmer
To: Microsoft ATR
Date: 1/23/02 8:34am
Subject: Microsoft Settlement

In regards to the Microspft antitrust case:

In short, I'm against it. It doesn't go far enough.

The longer version:

Microsoft is a highly successful company, and has achieved a large part of that success through making a good product and a well thought out marketing strategy. However, they have contaminated that time-honored and purely capitalist strategy with predatory tactics. Their focus on secrecy has led us to exceptionally insecure systems, and their focus on maintaining their monopoly has led them to restricting OEMs from shipping with competitor's products, and their focus on increasing their capital has led them to seek out and destroy new, competing technology before it enters the marketplace.

This goes against both the spirit of capitalism and the letter of the law. The filing of lawsuits has not changed their practices, they continue as before, and will continue as before after this settlement is enacted. Please reconsider, and increase the restrictions placed on Microsoft. Their practices decrease competition, with is the driving force of our innovation.

MTC-00015231

From: McArdleK@med-life.com@inetgw
To: Microsoft ATR
Date: 1/23/02 8:35am
Subject: Microsoft Settlement

Microsoft has abused its position of power for far too long. The proposed settlement does not go far enough to stop Microsoft from engaging in monopolistic practices in the future. I feel the settlement should be at the scale of the AT&T breakup.

Kelly McArdle

The contents of this message do not reflect the opinions of my employer.

MTC-00015232

From: mbs@mc.com@inetgw
To: Microsoft ATR
Date: 1/23/02 8:34am
Subject: Microsoft Settlement

The proposed settlement is a terrible idea and it may actually EARN Microsoft money instead of penalizing them for violating antitrust law. by allowing them to give \$200 Million in hardware and \$800 Million (presumably calculated at full retail price, not volume discount price) what you are doing is giving them a \$1 Billion tax deduction in exchange for about a (and I am being generous to Microsoft here) \$250 Million cost.

This settlement would also give Microsoft an in in the educational market where they have traditionally not done well along with mind share with our children. All in all, this seems like a money-making venture for Microsoft, as opposed to a penalty for violating Federal Law.

There was a counter-proposal from Red Hat Software for Microsoft to provide \$1 Billion in hardware, and Red Hat would provide equivalent (though Linux based) software for free. this solution has the distinct advantage of actually costing Microsoft \$1 Billion (although they still get the tax break) while not giving them a leg up in a new market. This settlement would also mean 5 times as many computers would get to the schools, a significant improvement I think.

However, I prefer Option 3. Make Microsoft give \$1 Billion (I would prefer \$4 Billion) in cash to these schools, to spend as they see fit, with the condition that not \$1 can be spent on Microsoft products. Because while I earn my living using computers, they are not very useful to a child who cannot read because his school does not have the resources to teach him how.

Sincerely,
Mark Salisbury —

** Mark Salisbury **
** mbs@mc.com **

MTC-00015233

From: Eric Stoll
To: Microsoft ATR
Date: 1/23/02 8:35am
Subject: Microsoft Settlement
I do not agree with the proposed settlement. Please reconsider.
Eric Stoll
Software Engineer
Mindex Technologies, Inc.
3495 Winton Place, Bldg. E, Suite 4
Rochester, NY 14623
(585) 424-3590 Ext. 3005
(585) 424-3809 Fax
<<http://www.mindex.com>>

MTC-00015234

From: kodak@wt6.usdoj.gov@inetgw
To: Microsoft ATR
Date: 1/23/02 8:35am
Subject: Microsoft Settlement
The proposed settlement is not good enough to address Microsoft's flaunting of anti-trust law. As someone in the IT field who has to deal with Microsoft's ubiquitous and yet shoddy products on a daily basis I say: make the punishment sting, so they won't leverage their monopoly any more and make things worse for us.

Jason Balicki
Sr. Network Engineer
Alexander Systems, Maryland Heights,
MO.

MTC-00015235

From: Nicholas Meeth
To: Microsoft ATR
Date: 1/23/02 8:35am
Subject: Microsoft Settlement Dear Sir/Madam
I am concerned with the proposed settlement with Microsoft and do not think it will benefit anyone except Microsoft. I think the judgement does not reduce the Applications Barrier to Entry faced by new entrants to the market is it's main weakness.
Nick

MTC-00015236

From: Jason Oppel
To: Microsoft ATR
Date: 1/23/02 8:34am
Subject: Microsoft Settlement
I would like to voice my displeasure at the current proposed settlement of the Microsoft Antitrust case. Microsoft has in the past flouted consent decrees that have been handed down and its likely they will flout the proposed final judgement that is currently before the court. The barrier to entry into Microsoft markets needs to be lowered (esp. in operating systems and office

suites). There are many artificial barriers that Microsoft has created to raise the barrier of entry into their markets which allow them an unfair advantage over their competitors. One of the barriers is non documented file formats for things such as MS Office files. Another example is non documented MS APIs which if documented would allow other operating systems to run programs written for Windows. There are many more examples but I will leave the two previous anti-competitive behaviors (which I consider the two most egregious). Those two tactics along with many other strong arm tactics has made Microsoft dominating operating system and office suite producer not because they've competed successfully but rather because they have engaged in activities which lock any potential competitors out. The proposed final judgement does nothing to address these problems. I hope you will consider my comments when making your final judgement. Thank you for your time and attention in this matter!

Sincerely,
Jason Oppel
7150 Reynolda Rd. #9
Pfaftown, NC 27040

MTC-00015237

From: kevin lyda
To: Microsoft ATR
Date: 1/23/02 8:11am
Subject: Microsoft Settlement
the proposed settlement won't do much to curb microsoft's anti-competitive actions in the future, nor deal with their past behavior. this page covers most of the issues that concern me: <http://www.kegel.com/remedy/letter.html> . i have requested to be listed as a co-signer of it.
kevin lyda (u.s. citizen) ballinvoher
caherlistrane co. galway
ireland
+353.93.31036

MTC-00015238

From: Jared Burns
To: Microsoft ATR
Date: 1/23/02 8:34am
Subject: Microsoft Settlement
I would like to add my voice to those raised against the proposed Microsoft settlement. If the proposed settlement is granted to Microsoft, it will be a crushing blow to the computer industry. Microsoft has been found guilty of breaking the law. They must not only be stopped from continuing to break the law (something the proposed settlement attempts but does not ensure), they must be subject to just punishment. I agree with Ralph Nader's open letter (found here: <http://www.cptech.org/at/ms/rnj2kollarkotellynov501.html>) 100%. It is my desire that a new penalty be composed based on Mr. Nader's observations.
Thank you,
Jared Burns
Software Developer, Object Technology Inc.

MTC-00015239

From: Bert Collins
To: Microsoft ATR
Date: 1/23/02 8:36am
Subject: Microsoft Settlement

The proposed settlement is flawed and should be rejected. It allows Microsoft to continue its anti-competitive practices based on its linking of operating system and application software. The appropriate solution is the breakup of Microsoft into two companies proposed by Judge Jackson. If that is not possible, the the stat attorneys general's remedies should be considered.

Thank you
Bert K. Collins
24 Thoreau Road
Lexington MA 02420

MTC-00015240

From: Jason B Morningstar
To: Microsoft ATR
Date: 1/23/02 8:36am
Subject: Microsoft Settlement
To: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement. I feel that the proposed settlement is seriously flawed on a number of grounds, including the fact that Microsoft discriminates against ISVs who ship Open Source applications. The proposed settlement does not address this problem.

To demonstrate my point, read the Microsoft Windows Media Encoder 7.1 SDK EULA, which states:

. . . you shall not distribute the REDISTRIBUTABLE COMPONENT in conjunction with any Publicly Available Software. "Publicly Available Software" means each of (i) any software that contains, or is derived in any manner (in whole or in part) from, any software that is distributed as free software, open source software (e.g. Linux) or similar licensing or distribution models . . . Publicly Available Software includes, without limitation, software licensed or distributed under any of the following licenses or distribution models, or licenses or distribution models similar to any of the following: GNU's General Public License (GPL) or Lesser/Library GPL (LGPL); The Artistic License (e.g., PERL); the Mozilla Public License; the Netscape Public License; the Sun Community Source License (SCSL); . . .

Many Windows APIs, including Media Encoder, are shipped by Microsoft as add-on SDKs with associated redistributable components. Applications that wish to use them must include the add-ons, even though they might later become a standard part of Windows. Microsoft often provides those SDKs under End User License Agreements (EULAs) prohibiting their use with Open Source applications. This harms ISVs who choose to distribute their applications under Open Source licenses; they must hope that the enduser has a sufficiently up-to-date version of the addon API installed, which is often not the case. Applications potentially harmed by this kind of EULA include the competing middleware product Netscape 6 and the competing office suite StarOffice; these EULAs thus can cause support problems for, and discourage the use of,

competing middleware and office suites. Additionally, since Open Source applications tend to also run on non-Microsoft operating systems, any resulting loss of market share by Open Source applications indirectly harms competing operating systems. Please take this into consideration when finalizing the settlement.

Sincerely,
Jason Morningstar
421 Melanie Court
Chapel Hill, NC 27514

MTC-00015241

From: Al Grimstad
To: Microsoft ATR
Date: 1/23/02 8:36am
Subject: Microsoft Settlement

It is very bad. Microsoft is a highly anticompetitive monopoly sucking the life out of the software market.

They need to be reformed.
Al Grimstad
PO Box 1198
Hollis, NH 03049

MTC-00015242

From: Edward Pricer
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:36am
Subject: Microsoft Settlement

I oppose the currently proposed microsoft settlement.

MTC-00015243

From: dml6@po.cwru.edu@inetgw
To: Microsoft ATR
Date: 1/23/02 8:37am
Subject: Microsoft Settlement

I would just like to say that I have read about the proposed settlement, and I am not in favor of it in its current state. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors, yet unfavorable to Microsoft.

Thank You.
David M. Lukens
757 Tussuck Ct.
Worthington, OH 43085

MTC-00015244

From: abruno@redhat.com@inetgw
To: Microsoft ATR
Date: 1/23/02 8:36am
Subject: Microsoft Settlement

To the DOJ:

I am writing to you so that I may express my disappointment with the Microsoft case so far. Despite being convicted as a monopolist and submitting remedies that were denied by the courts, Microsoft continues to dodge any attempt to truly sanction and penalize the company for their business practices. I stongly encourage the DOJ to make sure that Microsoft doesn't walk away with a mere slap on the wrist. Microsoft is a very powerful company that influences senators (e.g Senator Byrd from West Virginia stopped depositions during a congressional comitee hearing so that only the Pro-Microsoft side could read their comments and be captured by the media. All of the remaining depositions were entered into the record, but never presented, nor heard live by the media. Let's show the world that

Microsoft can't buy favor and influence in the DOJ!

Thank you for your attention,
Alexander Bruno
Entre lo dicho y lo hecho, hay un gran trecho.

MTC-00015245

From: Kirby, Josh
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:35am
Subject: Microsoft Settlement
Section III.E / III.I.1-5

I believe that this is an excellent first step to the opening of the protocols used by Windows (eg SMB/etc). The difficulty lies in that there are very few operating systems competing for the desktop these days. One that is the freely available Linux system. It would seem to me that the restrictions to be provided by Microsoft would limit the availability of details that would allow the Samba group to develop their freely available software after getting this information. Microsoft has such market clout now that its protocols are the standards. Further it tends to embrace and extend any current standard to its own desire, hindering efforts at interoperability between other operating systems and its own. Perhaps a more far reaching idea would be that Microsoft open all of its document formatting standards (eg Microsoft Office) which should help ensure the development of a host of competing products in the industry.

It is my personal belief that these "Microsoft Standards" (if you will) should be fully open and available to the community at large. I believe this would only help to spur competition in the industry that is currently lacking.

Joshua Kirby
Southwest Power Pool
IT Specialist III
(501) 614-3306
jkirby@spp.org
CC: "tunney(a)codeweavers.com"

MTC-00015246

From: Scott
To: Microsoft ATR
Date: 1/23/02 8:37am
Subject: Microsoft Settlement

To whom it may concern:

It is my belief that the current proposed settlement between the DOJ and Microsoft is hardly a penalty consistent with the crime (past and present). This "slap on the hand" will only embolden Microsoft since it represents a surrender by the only entity capable of stopping it's illegal activity. Of particular concern is the exclusion of Open Source projects and non-commercial not-for-profit entities Section III(J)(2) contains some very strong language against not-for-profits. Specifically, the language says that it need not describe nor license API, Documentation, or Communications Protocols affecting authentication and authorization to companies that don't meet Microsoft's criteria as a business: ". . . (c) meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business, . . ."

Section III(D) takes this disturbing trend even further. It deals with disclosure of

information regarding the APIs for incorporating non-Microsoft "middleware." In this section, Microsoft discloses to Independent Software Vendors (ISVs), Independent Hardware Vendors (IHVs), Internet Access Providers (IAPs), Internet Content Providers (ICPs), and Original Equipment Manufacturers (OEMs) the information needed to inter-operate with Windows at this level. Yet, when we look in the footnotes at the legal definitions for these outfits, we find the definitions specify commercial concerns only. Given the actions of Microsoft in the past that mandated this trial, and the fact that they continue to maintain that they DID NOTHING WRONG, do you believe that they will not use to the full extent the opening given to them (above) against their last competitor (The Open Source Community)?

I believe that the correct solution is to break up Microsoft into Operating-System and Application divisions. This would "open the playing field" for competition in applications, and encourage Microsoft to develop applications for other platforms. I believe that Microsoft would benefit from being split up. But unlike the current proposed solution, we (the general public) would benefit as well.

Thank you very much,
Scott Nichols

MTC-00015247

From: community@signifer.net@inetgw
To: Microsoft ATR
Date: 1/23/02 8:37am
Subject: Microsoft Settlement

I am writing to comment on the proposed Microsoft settlement, which I feel is wholly inadequate and needs to be revised. I've been an IT professional for five years now, both working with desktop computer systems and programming for them, so I'm aware both of the technical issues surrounding the Windows APIs and the effects they have on software produced for the desktop. In order to truly allow competition in the software market, Windows API specifications need to be provided to the software development community in an unrestricted and timely fashion, and the proposed settlement does not allow for this. Under the proposed settlement, Microsoft is required neither to completely document its APIs, or to release them soon enough that software developers can compete in meaningful ways. What's worse, the restrictions placed on the use of the documentation released are ridiculous, and would require other software vendors to go to extreme and inappropriate lengths to avoid violating those restrictions if they wish to use the information provided by Microsoft under the settlement. Just who is being punished here, anyway? When one also considers the fact that disclosure of the Office file formats—one of the real keys to Microsoft's domination of the desktop market—is not included in the settlement, it becomes clear that the proposed solution is not sufficient either to reign in Microsoft or to effectively encourage competition in the software development industry. I urge you to rethink and rewrite it, and give some of us in the industry a real chance to make some changes in its dynamics. A pro forma

resolution like the current draft is useless at best, and at worst an insult.

Sincerely,
Andrew
Seidl

MTC-00015248

From: Robert Freeborn
To: Microsoft ATR
Date: 1/23/02 8:42am
Subject: Microsoft Settlement

The PFJ doesn't take into account Windows-compatible competing operating systems Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry. The PFJ Contains Misleading and Overly Narrow Definitions and Provisions The PFJ supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered. The PFJ supposedly allows users to replace Microsoft Middleware with competing middleware, but it defines "Microsoft Middleware" so narrowly that the next version of Windows might not be covered at all.

The PFJ allows users to replace Microsoft Java with a competitor's product—but Microsoft is replacing Java with .NET. The PFJ should therefore allow users to replace Microsoft.NET with competing middleware. The PFJ supposedly applies to "Windows", but it defines that term so narrowly that it doesn't cover Windows XP Tablet PC Edition, Windows CE, Pocket PC, or the X-Box—operating systems that all use the Win32 API and are advertised as being "Windows Powered".

The PFJ fails to require advance notice of technical requirements, allowing Microsoft to bypass all competing middleware simply by changing the requirements shortly before the deadline, and not informing ISVs. The PFJ requires Microsoft to release API documentation to ISVs so they can create compatible middleware—but only after the deadline for the ISVs to demonstrate that their middleware is compatible. The PFJ requires Microsoft to release API documentation—but prohibits competitors from using this documentation to help make their operating systems compatible with Windows. The PFJ does not require Microsoft to release documentation about the format of Microsoft Office documents.

The PFJ does not require Microsoft to list which software patents protect the Windows APIs. This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users. The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft Microsoft currently uses restrictive licensing terms to keep Open Source apps from running on Windows. Microsoft currently uses restrictive licensing terms to keep Windows apps from running on competing operating systems.

Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which could run a Microsoft

operating system—even for computers running competing operating systems such as Linux! (Similar licenses to OEMs were once banned by the 1994 consent decree.) The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft. Microsoft has in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems. The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

The PFJ allows Microsoft to discriminate against small OEMs—including regional "white box" OEMs which are historically the most willing to install competing operating systems—who ship competing software. The PFJ allows Microsoft to offer discounts on Windows (MDAs) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas. The PFJ as currently written appears to lack an effective enforcement mechanism.

Thanks,
Robert Freeborn

MTC-00015249

From: Jen Clodius
To: Microsoft ATR
Date: 1/23/02 8:37am
Subject: Microsoft Settlement

Gentlepeople:

I strongly object to the proposed settlement in the Microsoft antitrust case. As I read it, I see nothing in the proposed settlement that would require Microsoft to change their monopolistic business practices. Moreover, the proposed settlement seems to give Microsoft control over a number of the enforcement decisions. I urge you to reconsider your proposed settlement.

Sincerely,
Jen Clodius
Jen Clodius
Senior Community Involvement

Representative
<http://www.bnl.gov/>
Brookhaven National Laboratory
631-344-2489 clodius@bnl.gov

MTC-00015250

From: mssettlement@p-
primary.seanmcperson.com @inetgw
To: Microsoft ATR
Date: 1/23/02 8:37am
Subject: Microsoft Settlement

Sir or Madam,

I have recently spent a great deal of time reading and attempting to understand the specifics of the proposed

Microsoft Settlement (<http://www.usdoj.gov/atr/cases/ms-settle.htm>). I have also considered how Microsoft's actions have affected me as a consumer, as well as both a software developer and a systems administrator for a multi-million dollar company. In all instances, I have experienced many situations in which I feel that, due to the many ways in which Microsoft has blatantly abused its market position, my options have been unreasonably restricted

and my expenditures unreasonably increased. As such, I'd like to state formally that I do not believe the proposed Microsoft Settlement is sufficient or in the best interests of the affected consumers, be they business or personal consumers.

Please consider this statement as a clear message that I oppose the settlement as it currently stands, and would expect to continue to oppose it without rather drastic changes. Thanks for your time and consideration,

Sean McPherson
Systems Administrator/Independent Open
Source Developer
Louisville, KY USA
mssettlement@seanmcpherson.com

MTC-00015251

From: Kirby, Josh
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:36am
Subject: Microsoft Settlement

Section III.E / III.I.1-5

I believe that this is an excellent first step to the opening of the protocols used by Windows (eg SMB/etc). The difficulty lies in that there are very few operating systems competing for the desktop these days. One that is the freely available Linux system. It would seem to me that the restrictions to be provided by Microsoft would limit the availability of details that would allow the Samba group to develop their freely available software after getting this information.

Microsoft has such market clout now that its protocols are the standards. Further it tends to embrace and extend any current standard to its own desire, hindering efforts at interoperability between other operating systems and its own. Perhaps a more far reaching idea would be that Microsoft open all of its document formatting standards (eg Microsoft Office) which should help ensure the development of a host of competing products in the industry.

It is my personal belief that these "Microsoft Standards" (if you will) should be fully open and available to the community at large. I believe this would only help to spur competition in the industry that is currently lacking.

Joshua Kirby
Southwest Power Pool
IT Specialist III
(501) 614-3306
jkirby@spp.org

MTC-00015252

From: dcombs@mindspring.com@inetgw
To: Microsoft ATR
Date: 1/23/02 8:37am
Subject: Microsoft Settlement

I would like to express my displeasure at the possible furthering the non-competitive environment in the computing community by way of the Microsoft settlement.

The settlement I have seen would have Microsoft supplying computers and Microsoft products to school systems. On the surface this is very nice, however I was a young adult when another company almost gave hardware and software away to colleges for use in their computing needs. IBM managed to get a strangle hold on the computing market for years due to the

familiarity of the college student having worked on nothing else but IBM equipment. It even created a snobbery of sorts at anyone who would even think of using another vendor.

It is my belief that is the Department of Justice allows this settlement to go through, then we will have exactly the same situation again, amplified by the "underprivileged youth accomplishment" call of the liberals in this country.

Please do not step into this trap.

Sincerely
Doyle Combs
850 Brookwood Dr.
Tallahassee FL 32308

MTC-00015253

From: Jon Fether
To: Microsoft ATR
Date: 1/23/02 8:32am
Subject: Microsoft Settlement Objection
Dear Antitrust Department,

It has come to my attention that pursuant to the Tunney Act, there is a period of public input into the settlement Microsoft has proposed. I am writing to state that I believe this settlement has multiple failings of justice.

My first objection is the fact that Microsoft is effectively being handed the right to print the currency this settlement would be paid with. Microsoft would be handing out licenses to use copies of its products for the bulk of the settlement. It will no doubt count the licenses against the settlement at full retail sales price of their software. This is akin to me jotting down "\$800" on a cocktail napkin, handing it to the judge and saying I've paid my debt to society. Microsoft must bear some burden from the settlement, permitting them to "give their software to schools" only burdens them for a trivial cost of media and printing. I believe a cash settlement would be more appropriate in this regard, as it is a true penalty, however I believe strongly that injunctive relief is the only means appropriate to resolve this case.

The second objection to this settlement is the fact that Microsoft furthers market dominance through this settlement, in fact, through to further generations of Americans. This smacks in the face of the reason this lawsuit was filed. It's like the tobacco industry promising cigarettes to children in schools to make up for secondhand smoke deaths. (I admit, Microsoft has not killed anyone to my knowledge, however I've become frustrated with their products nonetheless. It's almost as bad.) I must object to this marketing ploy.

The settlement also fails to address the problems of Microsoft's customer base at large. I believe a fair settlement should include refunds for the Internet Explorer portion of Windows that many Americans were forced to buy. Microsoft's claim that Explorer is integral to the operating system is a lie; if it were they would not offer Macintosh or Unix versions of this product. Microsoft should also be forced to pay the competitors who were denied these customers by Microsoft's actions.

Finally, Microsoft must be barred from further anticompetitive actions in the future. They must be compelled to provide an

Internet Explorer removal option in Windows. They should be barred from including Internet Explorer as a part of the operating system unless it is to be installed separately. Microsoft should be forced to reduce the price of the monopoly Windows operating system to reflect the amount of money paid for Internet Explorer—OR they should be forced to offer one version with and one version without the browser at different prices if they so desire. They should also be barred from using Office as their distribution mechanism as Microsoft has made great effort to prevent competitors from making compatible products—another antitrust issue entirely. To prevent the "Those restrictions were 95, we now make XP" shell game Microsoft has played, the restrictions must apply to every flagship Windows operating system made herein. Of course, there should be a "sunset period" on these restrictions for the time when the market has recovered from the anticompetitive activities.

In closing, I would like to state that this settlement is of great importance to America and the world at large. I urge care in the consideration of this matter. Thank you.

Respectfully Submitted,
Jonathan Fether
Temecula, CA

MTC-00015254

From: dcombs@mindspring.com@inetgw
To: Microsoft ATR
Date: 1/23/02 8:39am
Subject: Microsoft Settlement

Second Try at sending!!

I would like to express my displeasure at the possible furthering the non-competitive environment in the computing community by way of the Microsoft settlement.

The settlement I have seen would have Microsoft supplying computers and Microsoft products to school systems. On the surface this is very nice, however I was a young adult when another company almost gave hardware and software away to colleges for use in their computing needs. IBM managed to get a strangle hold on the computing market for years due to the familiarity of the college student having worked on nothing else but IBM equipment. It even created a snobbery of sorts at anyone who would even think of using another vendor.

It is my belief that is the Department of Justice allows this settlement to go through, then we will have exactly the same situation again, amplified by the "underprivileged youth accomplishment" call of the liberals in this country.

Please do not step into this trap.

Sincerely
Doyle Combs
850 Brookwood Dr.
Tallahassee FL 32308

MTC-00015255

From: Matthew McClintock
To: Microsoft ATR
Date: 1/23/02 8:40am
Subject: Microsoft Settlement

Dear Department of Justice,

I believe the tentative settlement of the United States vs. Microsoft antitrust lawsuit

I've read about in the news is bad. I don't think the settlement goes far enough in punishing Microsoft for past anti-competitive behaviour, and I don't think it will do anything to help our nations economy.

Thank you,
Matthew McClintock

MTC-00015256

From: speedy@dca.net@inetgw
To: Microsoft ATR
Date: 1/23/02 8:38am
Subject: Microsoft Settlement

I urge the Department of Justice to reconsider the settlement of the antitrust case against Microsoft. The currently proposed settlement will not adequately punish Microsoft for the anticompetitive actions it has engaged in in the past, nor will it prevent similar or new abuses in the future.

Specifically, the language of the settlement defines significant terms in a way that would allow Microsoft to make simple alterations in the way they provide software, such that they could conform to the letter of the settlement, while still engaging in monopolistic activities.

I urge the DOJ to carefully reconsider the settlement, and to resume the course it had pursued before: the breakup of the Microsoft corporation. At very least, impose significant fines (on the order of 40% of annual revenue) on the company and devote this money to programs to provide adequate competition to Microsoft.

Thank you,
Robert Parker
67 Crestline Rd.
Wayne, PA 19087

MTC-00015257

From: John Jorgensen
To: Microsoft ATR
Date: 1/23/02 8:51am
Subject: Microsoft Settlement

It is my opinion that the settlement between the DOJ and Microsoft is not enough of a deterrent or punishment to Microsoft. Being in the Information Technology field, I've seen Microsoft crush, dissolve, or buy out any technology that has any chance of threatening their monopoly. I've also watched as they extend their monopoly into other technologies on the back of their OS lock. The latter is illegal and the former is dispicable if not illegal. If this settlement gets enacted, Microsoft will not have been punished for their misdeeds and they won't be deterred sufficiently from doing it again.

Thank you for your time,
J*
John Jorgensen
R&D Manager, 2gn
Principal IT Engineer, NetManage

MTC-00015258

From: Frank Jaffe
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:38am
Subject: Microsoft Settlement To Renata B. Hesse,

I am writing today to indicate my personal opposition to the Proposed Final Judgement of the Anti-trust case with Microsoft, exercising my rights as a private citizen under the Tunney Act. It is my understanding, that: "a remedies decree in an

antitrust case must seek to "unfetter a market from anticompetitive conduct," to "terminate the illegal monopoly, deny to the defendant the fruits of its statutory violation, and ensure that there remain no practices likely to result in monopolization in the future." Microsoft, 253 F.3d at 103 (quoting *Ford Motor Co. v. United States*, 405 U.S. 562, 577 (1972) and *nited States v. United Shoe Mach. Corp.*, 391 U.S. 244, 250 (1968)) (citation omitted).

The above paragraph outlines four specific requirements for the remedies:

1. unfetter a market from anticompetitive conduct
2. terminate the illegal monopoly
3. deny the defendant the fruits of its statutory violation, and
4. ensure that there remain no practices likely to result in monopolization in the future

I believe that the wording and scope of the Proposed Final Judgement fail to achieve any of these four objectives. Specifically, while I understand that the antitrust case can only address the matters which were brought before the court, the settlement, in my opinion, fails to provide an adequate remedy for Microsofts abuses in numerous ways, including:

1. There is no remedy for consumers who have been harmed by Microsofts anticompetitive practices nor is Microsoft required to give back the unfair economic gains achieved by its illegal practices
2. The proposed remedies do not adequately address the damages done to the industry by Microsoft's practices
3. The proposed remedy does not adequately prevent continuing and future misbehavior by Microsoft, and
4. The proposed remedy does not address any of the innumerable additional anticompetitive practices Microsoft has undertaken during the course of the original trial period.

I am sure that expert legal commentators will be able to provide a much more in-depth analysis of the ways in which the Proposed Final Judgement fails to achieve the above objectives. I would like to focus primarily on objective four from the quote above.

Today, as I use my Microsoft Windows 2000 PC, I observe the following behaviors which I believe consitute anticompetitive practices and illegal bundling (binding) of products, none of which appear to be adequately addressed via the proposed settlement

1. Installing a browser also forces the installation of an email package (outlook express)
2. Upgrading a browser places additional Microsoft icons on my desktop
3. Using an email package launches and additional, unrelated program (using outlook express now requires microsoft messenger be running). Microsoft Messenger is also referred to as the MSN Messenger Service, tying the use of the Messenger to the Microsoft Network.
4. Using an email package requires obtaining an email address from Microsoft (since outlook express now requires microsoft messenger, and microsoft messenger requires a passport account which results in a hotmail email account)

5. Logging into certain Microsoft owned websites requires use of a Microsoft passport

6. Windows Update function only updates device drivers and Microsoft provided software, and often "recommends" installation of additional Microsoft components.

7. Installing an operating system (Microsoft windows) forces installation of additional components exclusively from Microsoft, such as Windows Media Player. There appears to be no legitimate argument for installing non-critical multimedia components as part of an operating system or upgrade installation, yet Windows Media Player is installed, and no other parties products are offered/included/ or installed in addition or instead.

8. Microsoft has released Windows XP which contains numerous additional examples of exclusive, anticompetitive bundling of services, along with a major push for the Microsoft .NET framework which provides further opportunities for Microsoft to lock in consumers.

9. Microsoft has eliminated or reduced support and ease-of-use for certain competitive functionality such as Java

10. While virtually every other aspect of computing continues to see rapid declines in price, Microsoft has increased the price, and reduced in certain key ways (such as dual processor support) the value of Windows XP as compared to previous releases. The outrageous pricing they have applied to upgrades to Windows XP, particularly from Windows NT and 2000 products, is a clear indication to me of their further abuse of their monopoly to price their products anticompetitively.

And the above list is only the items I am aware of or have encountered today, as an end-user of a Microsoft Product.

It seems to me, based upon Microsofts continuing egregious behavior, and the terms of the proposed remedies, that these remedies completely fail to achieve every single one the four required objectives outlined above. Therefore, as I previously stated, I oppose the settlement as outlined in the Proposed Final Judgement.

Thank you for your consideration.

— Frank Jaffe

—Falmouth, Maine

—<mailto:Frank.Jaffe@clareon.com>

Frank.Jaffe@Clareon.com (V/F) 207-771-3703

MTC-00015259

From: Nate Baxley
To: Microsoft ATR
Date: 1/23/02 8:39am
Subject: Microsoft Settlement

I am writing to express my disapproval of the Microsoft settlement terms. The terms of this settlement seem to be too much in favor of Microsoft who, after all, was found guilty of misusing an ill gotten monopoly. Surely being found guilty of a crime of this magnitude deserves something more than a slap on the wrist, which this settlement appears to be for a company as large and as entrenched as Microsoft is. While I don't seek to punish Microsoft unnecessarily, I do believe that is in the best interest for consumers that the Microsoft stranglehold on the consumer PC be stopped, and not

allowed to spread to other areas of the computer business, including:

- Commercial Desktop
- Hardware
- Server class systems
- Gaming
- Cable Boxes
- Internet Content
- Internet Access
- etc.

Please don't allow this inexplicably light outcome for a company that has been shown to have so many monopolistic tendencies.

Respectfully,
Nathan Baxley
18409 S. Elm St.
Gardner, KS 66030

MTC-00015260

From: Charles Callaway
To: Microsoft ATR
Date: 1/23/02 8:39am
Subject: Microsoft Settlement
Charles B. Callaway, Ph.D.
(North Carolina State University, Computer Science)

U.S. Citizen from Texas, working in Italy
Dear sirs,
I am writing this comment in accordance with the Tunney Act on the antitrust case against the Microsoft Corporation. Specifically, I am writing to express my disgust at the way the case has been handled since the change of administrations after the last U.S. presidential election.

I am quite unhappy that a convicted monopolist company that does business in my technical field has profited itself at the expense of other legitimate companies by aggressively excluding them from the "free" market. Multiple times I have watched economically healthy companies with innovative new products be completely squelched or forced to merge with other near-monopolist companies because Microsoft has taken their innovation, "incorporated" it into their operating system, and used their position in the desktop market to exclude the original innovative company from any share of the market. Furthermore, once Microsoft has accomplished this, they then claim that the innovation is now completely integrated into the operating system and to remove it would be catastrophic to their millions of customers.

While Microsoft spokespersons have repeatedly claimed that their company drives innovation, the reality I have seen on the technical side of the issue is that it is patently obvious that they would prefer to take others' innovations instead. This has a chilling effect on smaller software developers around the world, the sum total of whom innovate far more often than Microsoft and most other large companies. Allowing Microsoft to retain in toto the fruits of their monopolistic practices sends a message to other companies that their innovations will be stifled, and sends a message to large companies that they can freely trample the rights of others. I encourage you to revisit the penalty settlement and ensure that more stringent measures are taken.

Sincerely yours,
Charles B. Callaway, Ph.D.

MTC-00015261

From: John Lewis
To: Microsoft ATR
Date: 1/23/02 8:50am
Subject: Microsoft Settlement

I have read through the proposed settlement in this case and believe that the "remedy" offered will generally have no affect on Microsoft's business practices. If this court approves the settlement, it tacitly ignores 20 years of Microsoft acting in bad faith while laboring under previous conduct oriented settlements and court orders. A structural remedy is the only realistic solution for correcting Microsoft's pattern of anti-competitive behavior.

MTC-00015262

From: Jim McCarthy
To: Microsoft ATR
Date: 1/23/02 8:41am
Subject: Microsoft Settlement
The proposed settlement will not limit Microsoft's entrenched monopoly or restrain its penchant for abusing its monopoly power. The only effective solution is to break the company into two separate divisions: Operating Systems and Applications.

James McCarthy

MTC-00015263

From: Tom Buskey
To: Microsoft ATR
Date: 1/23/02 8:41am
Subject: Microsoft Settlement
I disagree with the proposed settlement. It does not provide for government or non profit use. In addition it allows Microsoft to continue its monopolistic practices.

MTC-00015264

From: Matthew Youngblood
To: Microsoft ATR
Date: 1/23/02 8:41am
Subject: Microsoft Settlement
I think the proposed settlement is a bad idea.
-Matthew Youngblood
Rt. 5 Box 224
Littleton, NC 27850

MTC-00015265

From: Daniel Brown
To: Microsoft ATR
Date: 1/23/02 8:40am
Subject: Microsoft Settlement
To Whom It May Concern,
I have been a software engineer for 6 years. I have been an avid computer user for about 20 years. I have used Microsoft's MS-DOS and Windows operating systems extensively during that time. And over that period of time, Microsoft has done many things that I consider unethical, whether they were all illegal or not.

Microsoft needs to be restrained since its anti-competitive practices have hampered the progress of computer technology. This is clear when looking at the fact that Microsoft operating systems have always lagged behind other operating systems in reliability, usability, and technical capability—and yet Microsoft operating systems have always dominated the business and consumer markets.

The primary specific acts which I find deplorable are Microsoft's attempts to

undermine competing technologies such as Java by duping developers into creating Windows-specific Java applications (through embrace-and-extend tactics), the use of monopoly power to manipulate OEMs, and propaganda letter campaigns in which they attempt to put words in the mouths of ordinary citizens in order to influence the outcome of this very antitrust suit.

The most recent formulation of the Microsoft settlement that I have seen does not restrain Microsoft in any substantial way. This will likely be true of any settlement that Microsoft agrees to. Microsoft is not interested in conforming with the law or with ethical standards or with furthering the common good. They exist only to exist. In addition, I agree with the main points of the open letter to the DOJ on this matter located at: <http://www.kegel.com/remedy/letter.html> and will be adding my name in support of it.

Sincerely,
Daniel W. Brown
Software Engineer
Gloucester, MA

MTC-00015266

From: Neil Deasy
To: Microsoft ATR
Date: 1/23/02 8:40am
Subject: Microsoft Settlement
I am opposed to the current proposed settlement.

MTC-00015267

From: Tom Wanek
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:40am
Subject: Microsoft Settlement
To Whom It May Concern,
I am writing to register my displeasure at the Proposed Final Judgment in United States vs. Microsoft.

As someone who has reviewed Microsoft's business practices with more than casual interest, I am deeply disturbed that the PFJ leaves so many holes open for Microsoft to continue with its history of anti-competitive practices.

Thomas J. Wanek
Program Manager, Telecom Italia
granite systems, inc.
1228 Elm St. 5th floor
Manchester, NH 03101
Phone: 603.625.0100
Fax: 603.625.4812
Office: 603.263.6505
Mobile: 603.303.1025
Email: twanek@granite.com
Text Messaging: www.msg.myvzw.com OR
6033031025@msg.myvzw.com

MTC-00015268

From: Michael Clark
To: Microsoft ATR
Date: 1/23/02 8:41am
Subject: Microsoft Settlement

To Whom It May Concern:
I wish to register my dissatisfaction in, and my objection to the tentative settlement reached between Microsoft and the US Department of Justice in the United States vs. Microsoft Corporation antitrust lawsuit. I am a computer scientist with over 20 years experience in the computer industry.

I find that the Proposed Final Judgement (PFJ) lacks sufficient provisions to prevent Microsoft from continuing its anticompetitive practices. Any successful Final Judgement must depend on very carefully crafted definitions of the industry specific terms used in the Final Judgement. The PFJ contains definitions of terms that differ in subtle but substantial ways from the Finding of Fact and in common usage; these definitions are apparently in Microsoft's favor.

While agreeing to the PFJ will cause Microsoft to slightly change its behaviour, there is sufficient "wiggle room" left by the definitions used in the PFJ to allow Microsoft to continue its anticompetitive practices while claiming that it is meeting the letter of the law.

There are other areas in which the PFJ inadequately addresses the grievances against Microsoft, for example:

1) it fails to cause Microsoft to adequately remove the so-called "Application Barriers to Entry" cited in the complaint,

2) it fails to adequately protect Independent Software Vendors (ISV) by requiring full disclosure of information that will allow ISVs to product competitive products,

3) it fails to adequately protect Original Equipment Manufacturers (OEMs) from retaliation if they choose to ship computer systems with non-Microsoft operating systems or applications.

Several alternative proposals have been created that adequately address many of the problems with the PFJ. I am certain that at least some of these alternatives have been brought to your attention. Please do not continue with the PFJ as it currently stands, but rather adopt the provisions of one or more of the alternate proposals (e.g. <http://www.kegel.com/remedy/letter.html>), which I believe better serves the public's interest in this matter.

Thank you for your consideration,
Michael Clark
213 Dutchess Drive
Cary, North Carolina 27513

MTC-00015269

From: Andy Pastuszak
To: Microsoft ATR
Date: 1/23/02 8:41am
Subject: Microsoft Settlement

I must say that I am deeply troubled by the proposed settlement the US Dept of Justice has proposed in respect to the current anti-trust case against Microsoft. The continued allowance of comingling of software with the Microsoft operating system causes me great concern. It has been impossible since the introduction of Windows 95 OEM SR2 to uninstall Internet Explorer from with Operating System. And now with the introduction of Windows XP, we see the forced installation of things such as Internet Explorer, MSN Messenger, and Outlook Express. The options AUTOMATICALLY get installed without the consumer having a choice in the matter at all. If Microsoft wishes to provide a SECOND CD with this software on it as an optional install then we may be able to see true competition restored, because then OEM manufacturers would

have the option to include CDs with AOL Instant Messenger, Netscape 6, Opera, Eudora and many other competing Internet products.

A true settlement that would be in the best interest of the American consumer would STRONGLY limit Microsoft's ability to comingle software in their operating system and would allow other software manufacturers to easily bundle their products with the Windows Operating System. To really level the playing field, I would strongly urge the Dept of Justice to demand that the Internet Explorer browser be taken away completely from Microsoft and made available as open source so that it can easily be ported to other operating systems. Sure, IE is available for the Macintosh platform as well as Windows, but key features such as VBScript are only made available in the Windows version. When we sites are coded in these IE proprietary features, people are forced to use a Microsoft operating system to view the pages and help extend Microsoft's monopoly power even further.

To remove IE from Microsoft and to allow it be ported to operating systems such as Macintosh, Linux, BSD, UNIX, BeOS, EPOC, PalmOS and all the other operating systems out there would help alleviate the current monopoly position of Microsoft.

Another major issue is the lack of full documentation of all the Microsoft programming APIs. Without full disclosure of ALL APIs for programming Windows software, Microsoft will ALWAYS have an advantage in writing software for their own operating system. Allowing Microsoft to have the inside track on its own APIs will allow them to build software will ALWAYS surpass its competitors in features.

And lastly, Microsoft licenses prohibit the use of Microsoft products against the company itself. The license to FrontPage 2002 (Microsoft's web development package) prohibits the owner of the product from being able to use the software to create a site that may make negative comments against Microsoft. Is this not a violation of my first amendment rights to free speech? Sure, I have a choice to buy another web development package, but if we allow comingling to continue, some day FrontPage could be part of the operating system and then it would be forbidden to use the operating systems itself to make negative remarks about the company.

Thank you for taking the time to read this. I feel the current settlement proposal is weak and would just allow Microsoft to maintain its monopoly power in the US.

Andy Pastuszak
3600 Valley Meadows Drive
Bensalem, PA 19020
(215) 633-9606
apastuszak@mac.com

MTC-00015270

From: Brian Kreulen
To: Microsoft ATR
Date: 1/23/02 8:41am
Subject: Microsoft Settlement

Dear Renata B. Hesse,

My name is Brian Kreulen, and though I live in France, I am an American citizen who feels very strongly about the current anti-trust trial against Microsoft. Under the

Tunney Act, I wish to comment on the Microsoft settlement's inadequacy in improving the competitive environment in the software industry. Some serious shortcomings relate to:

(1) Middleware

The current language in Section H.3 states "Microsoft Middleware Product would be invoked solely for use in interoperating with a server maintained by Microsoft (outside the context of general Web browsing)" does nothing to limit the company's ability to tie customers and restrict competition in non Web-based networked services under .NET, as they fall "outside the context of general Web browsing". Microsoft has already begun abusing its desktop monopoly to tie customers into .NET revenue streams and set up a new monopoly over the network.

Part 2 of the same section states "that designated Non-Microsoft Middleware Product fails to implement a reasonable technical requirement. . . ." essentially gives Microsoft a veto over any competitor's product. They can simply claim it doesn't meet their "technical requirements."

(2) Interoperability

Under the definition of terms, "Communications Protocol" means the set of rules for information exchange to accomplish predefined tasks between a Windows Operating System Product on a client computer and Windows 2000 Server or products marketed as its successors running on a server computer and connected via a local area network or a wide area network." This definition explicitly excludes the SMB/CIFS (Samba) protocol and all of the Microsoft RPC calls needed by any SMB/CIFS server to adequately interoperate with Windows 2000. Microsoft could claim these protocols are used by Windows 2000 server for remote administration and as such would not be required to be disclosed. The Samba team have written this up explicitly here: <http://linuxtoday.com/news-story.php3?tsn=2001-11-06-005-20-OP-MS>

(3) General veto on interoperability

In section J., the document specifically protects Microsoft from having to "document, disclose or license to third parties: (a) portions of APIs or Documentation or portions or layers of Communications Protocols the disclosure of which would compromise the security of anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems, including without limitation, keys, authorization tokens or enforcement criteria"

Since the .NET architecture being bundled into Windows essentially builds "anti-piracy, anti-virus, software licensing, digital rights management, and authentication systems" into all levels of the operating system, ANY API, documentation, or communication layer can fall into this category. This means that Microsoft never has to disclose any API by claiming it's part of a security or authorization system, giving them a complete veto over ALL disclosure.

(4) Veto against Open Source

Substantial amounts of the software that runs the Internet is "Open Source", which means it's developed on a non-commercial

basis by nonprofit groups and volunteers. Examples include Apache, GNU/Linux, Samba, etc. Under section J.2.c., Microsoft does not need to make ANY API available to groups that fail to meet "reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business." This explicitly gives them a veto over sharing any information with open source development projects as they are usually undertaken on a not-for-profit basis (and therefore would not be considered authentic, or viable businesses). These concerns can be met in the following ways:

(1) Middleware: Extend middleware interoperability with a Microsoft server to ALL contexts (both within general Web browsing as well as other networked services such as are those being included under .NET).

(2) Interoperability: Require full disclosure of ALL protocols between client and Microsoft server (including remote administration calls)

(3) General veto on interoperability: Require Microsoft to disclose APIs relating to "anti-piracy, anti-virus, software licensing, digital rights management, encryption, or authentication systems" to all.

(4) Veto against Open Source: Forbid Microsoft from discriminating between for-profit and nonprofit groups in API disclosure. Thank you for taking the time to read through my concerns, and I hope you will see the need for change in the current proposal.

Brian KREULEN
Zden France SA
Office: +33 (0) 1 42 04 41 83
Portable: +33 (0) 6 81 67 43 84

MTC-00015271

From: Joe Stevens
To: Microsoft ATR
Date: 1/23/02 8:52am
Subject: Microsoft Settlement

Just want to add my two cents to this Microsoft settlement. Having worked with graphics on computers since long before personal computers and Windows was around, I have seen a lot of good (and bad) programs come and go. And eventually they all went away as Microsoft used it's ever growing influence to force change out of the marketplace. I think they have used unethical and illegal practices to put competition out of business, leaving us with mediocre, insecure, OSs and programs. I think a remedy should be found that prevents them from continuing their practice, and in some way makes whole those who lost their businesses, companies, and livelihood from MS business practices.

Joe Stevens
500 Springhill Rd.
Rising Sun, MD 21911
302-658-9276

joeathome@dol.net
photoart@delanet.com

Guidelines for a fair remedy:

Any remedy in a case that has been so clear-cut in its findings must be more assertive in its defence of consumer interests. Regardless of specifics, such a remedy must address the following:

1. Recurrence: Microsoft must not be able to continue to abuse its monopoly the way it has in the past.

2. Reimbursement: Microsoft has no right to retain the excess profits it has earned as a result of its illegal actions. This money should be repaid to the consumer.

3. Reparations: As Microsoft is responsible for the current uncompetitive market in operating systems and related applications, it must underwrite efforts to restore competition and consumer choice. The rest of the market should not have to pay to recover from Microsoft's abuses.

4. Reference: Microsoft must pay punitive damages over and above its reimbursement and reparations obligations, to serve as a warning to deter future monopolists. The remedy must in no case send out a signal that a large enough violator can get off lightly. Future tax dollars can be saved by discouraging abuses instead of having to prosecute them.

The DoJ is supposed to be acting on behalf of the consumer, and they must pursue a remedy that addresses all the above issues. For example, a remedy that required Microsoft, among other things, to only sell through channels that offer at least one other operating system, could address the reparations issue and break the structural forces perpetuating their monopoly (If an OEM requires training to support another operating system, Microsoft may be forced to subsidise such training).

The proposed settlement goes partway towards addressing the issue of recurrence, but does so only half-heartedly because it creates significant exceptions and loopholes for Microsoft to take advantage of. It completely ignores the other three issues. An impression is created that the DoJ is more sensitive to Microsoft's interests than to the interests of consumers who have been systematically robbed of both their choices and their money.

Therefore this proposed settlement must be rejected as not being in the public interest.

Ganesh Prasad

Well, Microsoft now appears to be exacting its revenge, leaning this time on the same letter of the old law to not only get a better deal, but literally to disenfranchise many of the people and organizations who feel they have been damaged by Microsoft's actions. If this deal goes through as it is written, Microsoft will emerge from the case not just unscathed, but stronger than before.

Here is what I mean. The remedies in the Proposed Final Judgement specifically protect companies in commerce—organizations in business for profit. On the surface, that makes sense because Microsoft was found guilty of monopolistic activities against "competing" commercial software vendors like Netscape, and other commercial vendors—computer vendors like Compaq, for example. The Department of Justice is used to working in this kind of economic world, and has done a fair job of crafting a remedy that will rein in Microsoft without causing undue harm to the rest of the commercial portion of the industry. But Microsoft's greatest single threat on the operating system front comes from Linux—a non-commercial product—and it faces a growing threat on the

applications front from Open Source and freeware applications.

The biggest competitor to Microsoft Internet Information Server is Apache, which comes from the Apache Foundation, a not-for-profit. Apache practically rules the Net, along with Sendmail, and Perl, both of which also come from non-profits. Yet not-for-profit organizations have no rights at all under the proposed settlement. It is as though they don't even exist.

Section III(J)(2) contains some very strong language against not-for-profits. Specifically, the language says that it need not describe nor license API, Documentation, or Communications Protocols affecting authentication and authorization to companies that don't meet Microsoft's criteria as a business: ". . . (c) meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business, . . . "

So much for SAMBA and other Open Source projects that use Microsoft calls. The settlement gives Microsoft the right to effectively kill these products.

Section III(D) takes this disturbing trend even further. It deals with disclosure of information regarding the APIs for incorporating non-Microsoft "middleware." In this section, Microsoft discloses to Independent Software Vendors (ISVs), Independent Hardware Vendors (IHVs), Internet Access Providers (IAPs), Internet Content Providers (ICPs), and Original Equipment Manufacturers (OEMs) the information needed to inter-operate with Windows at this level. Yet, when we look in the footnotes at the legal definitions for these outfits, we find the definitions specify commercial concerns only.

But wait, there's more! Under this deal, the government is shut out, too. NASA, the national laboratories, the military, the National Institute of Standards and Technology—even the Department of Justice itself—have no rights. It is a good thing Afghanistan is such a low-tech adversary and that B-52s don't run Windows.

I know, I know. The government buys commercial software and uses contractors who make profits. Open Source software is sold for profit by outfits like Red Hat. It is easy to argue that I am being a bit shrill here. But I know the way Microsoft thinks. They probably saw this one coming months ago and have been falling all over themselves hoping to get it through. If this language gets through, MICROSOFT WILL FIND A WAY TO TAKE ADVANTAGE OF IT.

Robert Cringely, pbs.org

MTC-00015272

From: Joe Anding
To: Microsoft ATR
Date: 1/23/02 8:42am
Subject: Microsoft Settlement

Please take the time to examine all the details and facts in this case. Clearly, the timeliness of the result on the Windows 9x operating system is poor but it will direct the future of operating system development going forward for MS and those still trying to compete.

I can see that the MS model established for operating systems clearly has put the

Windows platform on top. There is nothing wrong with a company pursuing excellence in its products and providing exemplary customer service to back them. This strategy has vaulted many firms to success in the past. But using strong arm tactics or any practice that breaks from ethical business operations should be discouraged at all levels.

After examining the evidence provided and staying abreast of current information in the technical field of computer technology, it appears to me that something should be done that will allow MS to write software and provide services but at the same time encourages others to develop along-side them. I am not in a position to make decisions that will impact this case but you can. I greatly appreciate your open mind and thorough approach to examining the facts concerning this and all cases before you. The people of the United States are depending on your completeness. Make the right decision and Americans will be proud and strong. Otherwise, we will become captives.

Regards,
Joe Anding

MTC-00015273

From: Stefanie Gott-Dinsmore
To: Microsoft ATR
Date: 1/23/02 8:42am
Subject: Microsoft Settlement-NO!

I vote NO! to the proposed Microsoft Settlement.

I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of its competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted. Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.
Stefanie Gott-Dinsmore

MTC-00015274

From: Joe Rizzo
To: Microsoft ATR
Date: 1/23/02 8:43am
Subject: Microsoft Settlement

This is a bad settlement.
Joseph Rizzo
Chief Technology Officer
ETS/Financial Campus
116 Middle Road
Southborough, MA 01772
508.481.3578 x36 (office)
215.868.3437 (cell)

jrizzo@financialcampus.com

MTC-00015275

From: Kento
To: Microsoft ATR
Date: 1/23/02 8:42am
Subject: Microsoft Settlement
To whom it may concern:
The proposed settlement is a bad idea. It is not near adequate enough. Period.

A single company having this much control over the huge market that it does can, has, and will continue to result in abusive behaviour towards anyone not in their camp. To co-exist peacefully is not their goal. It is to crush any and all opposition, and I can not stand idly by watch while this continues. It affects us all whether we realize it or not.

Thank you.
Kent Benedict
Iowa City, Iowa

MTC-00015276

From: casey.milford@conwaycorp.net@inetgw
To: Microsoft ATR
Date: 1/23/02 8:41am
Subject: Microsoft Settlement
Dear Sir or Madam,

I have read the proposed Microsoft Settlement, and am NOT in favor of it, in its current state. The settlement does not, in any way, penalize Microsoft for its past infringements of the law.

For many years, OEMs have been under control of this corporation, and simply "formalizing" this law in a document is not enough. Microsoft has been declared guilty of past wrongs, and must now be held accountable in some measure.

The current proposed settlement is unacceptable.

Thank you for your time.
Sincerely,
Casey Milford
Conway, AR 72032

MTC-00015277

From: Jake Williams
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:44am
Subject: Microsoft Settlement

Sir or Madam,

I am writing this email in order to register my dissatisfaction with the proposed settlement in the U.S. vs Microsoft case. I work with Microsoft products on a daily basis, and am generally happy with their products, but the court has found that they have abused their monopoly position, and must be punished for their actions in order for competition to flourish. The settlement in its proposed state will not hamper Microsoft's business actions, and will not foster competition in the computer industry. Microsoft has hampered innovation since becoming a Monopoly, and our economy would be doing much better if there was competition, and Microsoft's illegal business practices were stopped. A review period and a promise to be a "good monopolistic company" did not work with the previous settlement with the U.S.D.O.J. and will not work in this situation. Without harsh penalties for repeated offenses, Microsoft will continue to hamper innovation in the computer industry.

Thank you for your time,
Jake Williams
Jake Williams
Network Specialist, MCSE/CCNA
ELCOM, Inc.
4940 Corporate Drive, Suite C
Huntsville, Alabama 35805
Phone: (256) 830-4001
jake.williams@elcomrep.com
http://www.elcomrep.com <http://www.elcomrep.com>

MTC-00015278

From: Michael Thome
To: Microsoft ATR
Date: 1/23/02 8:45am
Subject: Microsoft Settlement

I am NOT in favor of the current version of the Microsoft Settlement.

Any acceptable settlement must assure that competing products have approximately equal footing with new Microsoft products. This requires full disclosure and *right-to-use* of all Operating System APIs (including all current and future Windows versions).

thank you,
Michael Thome
mthome@bbn.com
1056 Main St
Melrose, MA
02176

MTC-00015279

From: Bruce Ediger
To: Microsoft ATR
Date: 1/23/02 8:45am
Subject: Microsoft Settlement

The proposed settlement of the Microsoft anti-trust case has no merit. The proposed settlement does absolutely nothing to redress all the bad things that Microsoft has done with its monopoly.

Sincerely,
Bruce Ediger
541 Fox St
Denver, CO 80204
720-932-1954

MTC-00015280

From: Mike Fox
To: Microsoft ATR
Date: 1/23/02 8:08am
Subject: Microsoft Settlement

I am writing as a concerned citizen of the United States, and as a computer professional, to inform you of my opinion that the pending Microsoft Settlement is a bad idea. It does nothing to ensure that Microsoft will stop bullying OEM computer manufacturers into selling their computers with Windows as the only possible operating system, and forcing the end users to pay the price of that operating system. It also avoids forcing Microsoft to open up many key APIs for competing application developers to program against. This gives Microsoft a hand up in developing applications for the operating system (thus using their operating system monopoly to expand their application monopoly).

What I would suggest is that Microsoft's APIs be forced open—completely. If any changes are made to their APIs, they must be published. Also, contracts with OEMs stating that any computers sold must have a valid Windows licence should be banned so that OEMs will be free to sell their computers

with the operating systems of their customer's choice.

Thank you for taking the time to read this.
Mike Fox,
Windham, Maine

MTC-00015281

From: Marvel, Michael
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:42am
Subject: Microsoft Settlement

I'd like to comment on the proposed settlement between DOJ and Microsoft. I believe that Microsoft is abusing it's Monopolistic position in the marketplace. That is not going to change with a simple settlement. It is going to take some serious action on the governments part to correct Microsoft's business practices.

Microsoft is fond of saying that any action against them will stifle innovation, however, Microsoft uses it's Monopoly powers to stifle any innovation that could compete with it.

They also use this power to create unfair and controlling license agreements. They also add things like the Activation program in Windows XP. This program says that if I upgrade my computer significantly, as many computer professionals are prone to do, I have to call Microsoft and ask them to continue to use the software I purchased with my hard earned dollars.

It appears to me that the government is looking for an easy way out of this. But it is the governments job to do what is right for the people, not big business. What is right for the people in this case is to make Microsoft play on a fair playing field. They should not be able to use heavy handed tactics that they use now.

Thank you for your time.
Mike Marvel
mmarvel@colpipe.com

MTC-00015282

From: Larry Osolkowski
To: Microsoft ATR
Date: 1/23/02 8:43am
Subject: Microsoft Settlement

Sirs,
I believe that the proposed Microsoft settlement is a bad idea. It is not a punishment for illegal monopolistic behavior, but rather a windfall for Microsoft that will enhance its penetration into one of the few remaining markets that the company does not already dominate. Please reconsider this poorly-crafted solution, and propose a plan that will reduce Microsoft's monopoly and improve competition in the personal computer marketplace.

Lawrence S. Osolkowski
Software Engineer
Northrop Grumman Corporation
Electronic Systems
Amherst Systems
30 Wilson Road
Buffalo, New York 14221
Phone: 716-631-0610 Ext. 350
Fax: 716-631-0629

MTC-00015283

From: Tim Enders
To: Microsoft ATR
Date: 1/23/02 8:44am
Subject: Microsoft Settlement
To: microsoft.atr@usdoj.gov

Subject: Microsoft Settlement
To: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

This is my vote AGAINST the proposed settlement. It doesn't sufficiently remedy Microsoft's anticompetitive behavior. A healthy environment for innovation requires diversity in the marketplace—US consumers deserve the power of choice this diversity would provide.

Regards,
Timothy M. Enders
209 Edgerton St
Rochester NY 14607

MTC-00015284

From: John Christie
To: Microsoft ATR
Date: 1/23/02 8:45am
Subject: Microsoft Settlement
To Whom It May Concern,

The proposed settlement with Microsoft is a bad idea. At no time in history has the DOJ so clearly shirked its duty as in this case of a world power monopolist who repeatedly, and without remorse or conscience, egregiously extends that monopoly illegally.

I was prompted to write today as I overheard others arguing the case. While I was listening I noticed that those who are in favor of harsh penalties to Microsoft seemed to have a hard time coming up with specifics on what the monopoly has really cost America. The only rebuttals seem to be, "It cost competition in the marketplace, which would surely have made things better somehow." Unfortunately, that somehow is poorly defined. But, it needn't be that way.

Imagine there was competition in the software marketplace. . . Now, think of all of the little things every day that you put up with in Microsoft products that you do not like but feel that you have to live with—every time something have happened and you said, "what are you going to do?" That file is incompatible? my computer crashed! What, another virus! Why is this so slow! Why isn't there an easier solution? You want how much to update Windows! What do you mean I don't own the software!

The list of things that bother Americans day to day here is probably rather extensive. If there were real competition how long do you believe that these problems would last. Or, consider a corollary, imagine if Ford had a world wide monopoly in the automobile market from very close to its inception, and that it was free to extend and maintain that monopoly any way it wished. Does anyone really believe that we would have moved much beyond the Model T?

In addition, there are some real costs that one can assign to this monopoly. Every time you hear on CNN of a Microsoft security hole that cost America 10's of millions of dollars, you can blame the monopoly. Every time there is a virus that chews up millions of hours of labor and internet bandwidth, feel free to blame the monopoly. Every notice about a cost to America for some computing defect that is extremely widespread should cause every American to raise a finger and

point it at Microsoft. Would we be putting up with any of this if it were not a monopoly? Would we feel technologically helpless if it were not an illegally enforced and extended monopoly?

Microsoft made over 2 billion dollars last quarter. With that money they could have afforded to clean up all of the security and virus messes they made over the three months. But, they have no accountability on top of being a monopoly. Imagine Ford saying to America, "if you have a problem with the Firestone tires just go get different ones, we can't be responsible for these kinds of things."

Microsoft's monopoly has provided political power as well as commercial. Please enforce the Sherman Act to the fullest against this company. There will be no joy in Mudville until that occurs.

John Christie

MTC-00015285

From: Dave@Lopata.Net@inetgw
To: Microsoft ATR
Date: 1/23/02 8:49am
Subject: Microsoft Settlement

Hello. I am against the Proposed Final Judgement against Microsoft. While there appears to be numerous flaws in the overall Judgement, I am particularly concerned that there are no provisions to either require Microsoft to document their file formats (like .doc, .xls, and .wmp) or require them to use open standards based formats (like XML).

As a person who regularly communicates with Microsoft customers, this is the most frustrating aspect of the Monopoly. . . Their proprietary formats essentially close off conversations and information from Non-Microsoft users.

Dave Lopata
5323 Under Way
Sugar Hill, GA 30518

MTC-00015286

From: Maurice Reeves
To: Microsoft ATR
Date: 1/23/02 8:46am
Subject: Microsoft Settlement

I do not currently feel that the Microsoft Anti-trust Settlement is satisfactory.

Please convey my concerns to those in charge of this case that more should be done to protect the end user and developers.

Thank you,
Maurice Reeves
buzzcutbuddha—www.perlmonks.org
Fearless Leader—Harrisburg Perl Mongers
Secretary—Java Users Group

MTC-00015287

From: Costyn van Dongen
To: Microsoft ATR
Date: 1/23/02 8:45am
Subject: Microsoft Settlement

Dear Sir/Madam,

I just would like to voice my opinion that the proposed Microsoft settlement is a bad idea.

Sincerely,
Costyn van Dongen.

MTC-00015288

From: Chris Beachy
To: Microsoft ATR
Date: 1/23/02 9:46am

Subject: Microsoft Settlement

Dear Sirs,

I would like to express my objections to the currently proposed settlement with Microsoft.

I believe the settlement is ineffective, and of little worth.

Some examples are:

Section III.A.2 which allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system. I prefer to buy computers without Microsoft products on them and don't think I should be penalized for this.

Section III.b which requires Microsoft to license Windows on uniform terms and at published prices to the top 20 OEMs, but says nothing about smaller OEMs.

I prefer to deal with smaller OEMs, and support small businesses. A small OEM owned by a friend was told by Microsoft that if they wanted to license Windows at the lowest (and therefore competitive) price, they must sell Windows on every Personal Computer they sold, and could not sell any other operating system. This OEM has since gone out of business.

These are just two from a large list of complaints. Please re-consider this settlement!

Thank you,
Chris Beachy
beachy@chrisbeachy.net
2519 Symphony Lane,
Gambrills, Md. 21054

MTC-00015289

From: kt

To: Microsoft ATR

Date: 1/23/02 8:45am

Subject: Microsoft Settlement

For decades Microsoft has used its power over OEMs to force substandard products into the marketplace and assure their dominance. It has been proven that Microsoft abuses its monopoly power to crush potential competitors.

What is needed is a remedy that addresses this behavior of Microsoft's and stops it. We definitely should not reward Microsoft or look the other way.

Karl Tate

MTC-00015290

From: Shafto, Eric

To: "microsoft.atr(a)usdoj.gov"

Date: 1/23/02 8:42am

Subject: Microsoft Settlement

I am a computing professional with over 15 years experience, as well as an enthusiast and industry watcher. I have worked professionally with Microsoft, Macintosh, and Unix operating systems. I oppose the proposed settlement in the MS antitrust case.

If you have received this e-mail in error or wish to read our e-mail disclaimer statement and monitoring policy, please refer to <http://www.drkw.com/disc/email/> or contact the sender.

MTC-00015291

From: Doug Loss

To: Microsoft ATR

Date: 1/23/02 4:05am

Subject: Microsoft Settlement

Since Microsoft has been found by the court to have a monopoly and to have illegally used its monopoly status, a finding which has been upheld on appeal, I feel it would be remiss not to have a final judgement that sanctions Microsoft for this behavior and applies real restrictions against its conducting similar behavior in the future. As has been shown in Microsoft's responses to previous judgements against it (the 1994 consent decree in particular), Microsoft can't be trusted to abide by any agreements it enters into without intensive oversight. Indeed, Microsoft's behavior since the findings of fact in this case were handed down clearly show its intent to ignore the court's decisions.

I think a proper final judgement would require Microsoft to publish the complete specifications to all the APIs (application programming interfaces) to all its products and the complete specifications to all its heretofore proprietary data formats, and would enjoin Microsoft from making any changes to those formats without publishing those changes in the same manner. This would not require Microsoft to release its "crown jewels," the source code of its products, but would give other vendors a much better chance of competing with Microsoft on a level playing field.

Doug Loss
Data Network Coordinator
Bloomsburg University
dloss@bloomu.edu

MTC-00015292

From: Jesse Griffis

To: Microsoft ATR

Date: 1/23/02 8:47am

Subject: Microsoft Settlement

The fact that Microsoft should be allowed to continue to utilize proprietary and undocumented file formats in its programs is the major issue I have with the proposed settlement. Were the file formats open and "honest", other organizations (companies, or even clubs, hobbyists, and schools) would be able to build new and potentially ground-breaking products building off an existing base, and give other companies a chance to interoperate with Microsoft's.

As things stand, the massive market share held by Microsoft in the OS arena represents a gigantic barrier to entry preventing any other new business-related software from gaining a foothold in the market, which is rotten for consumer choice, and rotten for innovation.

Jesse Griffis
Washington DC

MTC-00015294

From: tripp millican

To: Microsoft ATR

Date: 1/23/02 8:36am

Subject: Microsoft Settlement

I would just like to say that I have read about the proposed settlement, and I am not in favor of it in its current state. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors, yet unfavorable to Microsoft.

Thank you

Tripp Millican

1108 West Franklin Apt 202
Richmond Va 23220

MTC-00015295

From: bubblyUllman@netscape.net@inetgw

To: Microsoft ATR

Date: 1/23/02 8:47am

Subject: Microsoft Settlement

I do not support the proposed settlement between the US government and nine of the original eighteen states. It does not re-ignite competition in the computer industry, nor does it make reparations for their proven criminal acts.

I also do not think that the government should be involved in the decision making within private organizations, hence the three man panel would be against my political beliefs.

Thank you for taking the time to listen.

Sincerely,
"Bubby" Ullman

MTC-00015296

From: Jason Green

To: Microsoft ATR

Date: 1/23/02 8:48am

Subject: Microsoft Settlement

To whom it may concern:

I feel that the proposed Settlement against Microsoft does not do anything to allow competition to enter the marketplace. They should be required to open their programmable interfaces to allow other companies to write compatible software.

Jason Green
IT Coordinator, Lansing Management
Voice: 517-272-2900, Ext 217
Fax: 517-272-0630
Email: jgreen@kpm-net.com

MTC-00015297

From: Andrew Towle

To: Microsoft ATR

Date: 1/23/02 8:48am

Subject: Microsoft Settlement

The proposed settlement is a very BAD idea!

Andrew

MTC-00015298

From: Jon—Ciesla@aric.com@inetgw

To: Microsoft ATR

Date: 1/23/02 8:50am

Subject: Microsoft Settlement

This settlement is a joke. Can we have something that actually fosters competition? What's good for Microsoft is not necessarily good for the country, and as such, Microsoft must be treated with more backbone than some mere errant federal bureau.

Jon Ciesla
Des Moines, IA

MTC-00015299

From: jr

To: Microsoft ATR

Date: 1/23/02 8:47am

Subject: Microsoft Settlement

This is a bad settlement

MTC-00015300

From: Joshua W. Burton

To: Microsoft ATR

Date: 1/23/02 8:50am

Subject: Microsoft Settlement

To: Renata B. Hesse
Antitrust Division
US Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Dear Ms. Hesse:

I am writing to express my concern about the clear inadequacy of the proposed final judgment in the Microsoft case. As a software engineer and consultant, I would like to offer my customers the widest possible choice of compatible operating systems and file formats on which to run our tools, but the restrictive licensing of the Microsoft Platform SDK, whose EULA asserts:

"Distribution Terms. You may reproduce and distribute . . . the Redistributable Components. . . provided that (a) you distribute the Redistributable Components only in conjunction with and as a part of your Application solely for use with a Microsoft Operating System Product. . . " makes this impossible. Equally serious, the file format of Microsoft Word, with which our requirements management tool interoperates, is closed and proprietary, which prevents us from building a cross-platform integration with Word files for open-source operating systems even if the EULA permitted it.

There are many other necessary elements missing from the proposed final judgment: the summary at <URL: <http://www.kegel.com/remedy/remedy2.html#isv.oss> > is quite good. I urge you to immediately reconsider the settlement.

Very truly yours,
Joshua W. Burton

MTC-00015301

From: Robert N. Lockwood
To: Microsoft ATR
Date: 1/23/02 8:50am
Subject: Microsoft Settlement

I believe that the proposed settlement is not in the best interest of consumers.

Robert Lockwood
Lockwoo9@pacbell.net

MTC-00015302

From: Sebastian Hassinger
To: Microsoft ATR
Date: 1/23/02 8:49am
Subject: Microsoft Settlement

The proposed judgement for settlement with Microsoft is poorly thought-out, ill-informed, and truly a bad deal for American consumers and the computer industry as a whole.

Sebastian Hassinger
Senior Strategist
IBM Pervasive Computing
Route 100 Somers, NY
email: shassing@us.ibm.com
office: +1.914.766.3297 (t/l 826-3297)
fax: +1.425.790.0517
mobile: +1.845.893.9498

MTC-00015303

From: Taliver Heath
To: Microsoft ATR
Date: 1/23/02 8:49am
Subject: Microsoft Settlement

While the majority of remedies are a good start, THEY DO NOT GO FAR ENOUGH for

protecting competitors against a shark like Microsoft. If the DoJ had acted back in the early 90's, these would have been sufficient, however, Microsoft now has too much equity for others to compete on a level playing field.

Taliver Heath
Computer Science Grad Student
Rutgers University

MTC-00015304

From: Eric Allman
To: Microsoft ATR
Date: 1/23/02 8:56am
Subject: Microsoft Settlement

I think the proposed settlement is bad idea.
Eric Allman

MTC-00015305

From: Brent Neal
To: Microsoft ATR
Date: 1/23/02 8:39am
Subject: Microsoft Settlement

To whom it may concern:

I am writing to comment upon the proposed final settlement to the Microsoft antitrust trial. I understand that under the Tunney Act, the court is required to consider public commentary before ruling on the settlement.

I do not believe the proposed settlement is sufficient to prevent Microsoft from continuing its illegal practices. The settlement, to my reading, does not prevent Microsoft from pursuing de facto dominance in areas unrelated to the computer software and enterprise desktop industry. One particularly troubling instance of this is Microsoft's push to encourage record companies to use Microsoft's proprietary Windows Media format. Already, Universal has released CDs with the digital music encoded in Windows Media format, thus making them unusable to people without the Windows Operating System. This behavior is of the sort that the Sherman Antitrust Act was designed to prevent, yet the settlement in this case does not explicitly forbid it.

Please rectify this and any other shortcomings in the settlement or even better, prosecute Microsoft fully for their continued violations of antitrust law.

Sincerely,
Brent Neal
Brent Neal

Concurrent Computing Laboratory for
Materials Simulations
Dept. of Physics—Dept. of Computer
Science
Louisiana State University

MTC-00015306

From: JR
To: Microsoft ATR
Date: 1/23/02 8:50am
Subject: Microsoft Settlement

This is a bad bad bad bad settlement.

MTC-00015307

From: lee sulander
To: Microsoft ATR
Date: 1/23/02 8:50am
Subject: microsoft settlement

Please do not allow the states suing Microsoft nor AOL to proceed in this totally unjustifiable action against a great, innovative company that has proven beyond any doubt that they are a vital part of our dot

net world of enterprise. These naysayers are out to destroy this great American success story.

Let them compete on whatever grounds the courts decide, but do not destroy.

Sincerely,
L. Sulander, Naples Florida

MTC-00015308

From: Brock Organ
To: Microsoft ATR
Date: 1/23/02 8:50am
Subject: Microsoft Settlement

Dear Sirs,
I believe the proposed settlement is a bad idea for the following reason:

The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

Thank you for your time,
Regards,
Brock Organ

MTC-00015309

From: Ice, Heath Cruts (UMR-Student)
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:50am
Subject: Microsoft Settlement

I would just like to take a few moments to voice my non-support of the Microsoft settlement. I do not believe that the current proposal does enough to effectively wane Microsoft's anti-competitive actions. Thank you for your time.

Heath C. Ice
Computer & Electrical Engineering Student
University of Missouri—Rolla
hice@umr.edu
<http://www.nonec.com>

MTC-00015310

From: Duckett, Tony
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:50am
Subject: Microsoft Settlement

I think the proposed settlement is bad idea! Microsoft is a major CROOK and should be punished not rewarded!

Tony Duckett
System Administrator
703-326-2367
tduckett@netsol.com

MTC-00015311

From: Josh Stern
To: Microsoft ATR
Date: 1/23/02 8:32am
Subject: Microsoft Settlement

Dear U.S. Dept. of Justice,
I strongly oppose the proposed settlement with Microsoft corporation, and endorse the criticisms of both Ralph Nader and James Love, <http://www.cptech.org/at/ms/rnj12kollarkotellynov501.html>, as well as those by Dan Kegel <http://www.codeweavers.com/jwhite/tunney.html>

Sincerely,
Joshua J. Stern
SS# 165-52-8424
401 South First St.
Apt. 410
Minneapolis, MN 55401
jsstern@citolink.com

MTC-00015312

From: Jason—Titus@bluecrossmn.com@

inetgw
To: Microsoft ATR
Date: 1/23/02 8:51am
Subject: Microsoft Settlement
Hello,

I am writing to voice my opposition to the Microsoft Settlement. Microsoft has used its monopoly power to greatly change the landscape of the computing industry in its favor, at the expense of everyone else, including the public. They should be reprimanded with more than a simple slap on the wrist, and they certainly should not be allowed to settle with terms that are advantageous to them.

Thank you for allowing me to voice my concern.

Jason Titus
Brooklyn Park, MN
763-424-4228

MTC-00015313

From: Smokinn—
To: Microsoft ATR
Date: 1/23/02 8:51am
Subject: Microsoft Settlement

I sincerely believe that this settlement is not in the best interest of the American people for there is a lack of means of enforcement. Microsoft had already been tried and found guilty of unlawful monopolistic actions even though there were restrictions set on their behaviour. Microsoft believes that they are above the law, that they can just buy their way and once they are found guilty after years and years of trial the settlement is one they can very easily break, just like the last one. We need a punishment that can and will be enforced.

Guillaume Thioiret

MTC-00015314

From: Lane Weast
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 8:56am
Subject: Microsoft Settlement

I believe that the proposed settlement is a bad idea because it does far to little to stop Microsoft's exclusionary practices.

Lane Weast
Programmer Analyst I
lweast@leeclerk.org
941-335-2373

MTC-00015315

From: Bob Mileti
To: Microsoft ATR
Date: 1/23/02 8:50am
Subject: Microsoft Settlement

The settlement stinks. You've really let the computer world down!

Bob Mileti

MTC-00015316

From: Jeff Albrow
To: Microsoft ATR
Date: 1/23/02 9:02am
Subject: Microsoft Settlement

I would like to object to the currently proposed Microsoft Settlement. Microsoft makes many wonderful products, but they have simply not been willing to compete on those merits. Time and time again they have used unfair and harmful tactics to minimize competition and extract maximum profit.

The proposed settlement does not go far enough and has no teeth for enforcement.

Jeff
Jeff Albrow : Interaction Engineerjeff@
antistatic.com
Customer-centric Consulting617-835-4153
Interface and System DesignBoston, MA

MTC-00015317

From: Bobby Jones
To: Microsoft ATR
Date: 1/23/02 8:52am
Subject: Microsoft Settlement

I would like to say that I feel the proposed settlement is a bad idea. There needs to be more done to ensure that end users have freedom of choice. For example, encouraging manufacturers to ship dual boot systems.

MTC-00015318

From: Shawn Hooton
To: Microsoft ATR
Date: 1/23/02 8:44am
Subject: Microsoft Settlement

Dear Sirs:

I am writing to give my comments on the Microsoft antitrust settlement. I believe this settlement is counter to the interests of the American public, deleterious to the American economy, and not adequate given the findings of fact in the trial.

Microsoft's anti-competitive practices are counter to the law and spirit of our free-enterprise system. These practices inhibit competition, reduce innovation, and thereby decrease employment and productivity in our nation.

Microsoft's monopolistic practices cause the public to bear increased costs and deny them the products of the innovation which would otherwise be stimulated through competition.

The finding of fact which confirmed that Microsoft is a monopoly requires strict measures which address not only the practices they have engaged in in the past, but which also prevent them from engaging in other monopolistic practices in the future.

It is my belief that a very strong set of strictures must be placed on convicted monopolists to insure that they are unable to continue their illegal activities. I do not think that the proposed settlement is strong enough to serve this function.

MTC-00015319

From: Vernon.Nemitz@JTAX.com@inetgw
To: Microsoft ATR
Date: 1/23/02 8:49am
Subject: Microsoft Settlement

Hello.

Over the years I have observed Microsoft's strategy to become what it is today.

One part of that strategy is to "borrow" ideas from others, modify them very slightly, and then claim legal ownership. For example, the basic ideas for the "windowing" environment, in which a person interacts with a computer, seems to have originated at Xerox, were copied by Apple, and copied again by Microsoft. Today one about-to-be competitor is nearly ready to release a "windowing" environment called "Lindows", but Microsoft is interfering by claiming it owns the concept, and has filed a lawsuit. (Neither does it own the word "Windows", because there are plenty of companies that include it in their name, and which have been in business much longer

than Microsoft. See <http://www.andersenwindows.com> for example) Which is more obscene: Microsoft's actions, or the Justice Department's failure to make Microsoft stop?

As another example of the preceding, there were rumors circulating that part of the "increased stability" of Microsoft Windows Operating System came from copying code written for the Linux Operating System. The legalese surrounding Linux require that such code be made public. Meanwhile, Bill Gates was making speeches to the effect that such legalese stifled innovation. If the rumors are true, then the implication is that Bill Gates' definition of "innovation" is that of copying the work of others, and then claiming ownership, as already described.

Where in the proposed settlement is anything to prevent such "innovation"? Another part of Microsoft's strategy is to modify its Operating System. Advertised as "adding improvements", it is only partly true. As a programmer I know full well that the Operating System is what loads and executes the ordinary software "application" that the average person might want to interact with, such as a word-processor, game, e-mailer, etcetera. In almost every case, an "application" program must work with the Operating System, or it will not work at all.

Well, since Microsoft sells both Operating System and application software, it is very easy for Microsoft to plan ahead by "modifying" its Operating System to cause competitor applications to no longer work right. Meanwhile, simply by not telling the competition that a modification is in the works, it can equivalently modify its own application software, so that it will continue to work right. Then, when the "new and improved" Operating System is released, Microsoft can also release "improved" application software, that works with the new Operating System, while all the competitors have to play catch-up, to fix the glitches deliberately introduced by Microsoft.

That is the nutshell-description of what happened to Netscape, Word Perfect, Lotus, Ashton-Tate, Borland, Corel, and other large software houses, because they were never allowed a chance to be "in" on forthcoming changes to Microsoft's latest-and-greatest Operating System (regardless of version). The preceding is how Microsoft came to monopolize the desktop computer. The courts have judged that Microsoft does indeed have monopoly status and power. But the proposed settlement does nothing to prevent Microsoft from continuing to implement its overall strategy, which is the basis behind that status and power.

If you would please recall that the intent of the Sherman Anti-Trust Act is to increase competition in the marketplace, and ask yourself if the proposed settlement in the Microsoft case acts to fulfill that intent, then perhaps you would conclude, as I conclude, that the proposed settlement is worthless—except to Microsoft.

The sender believes that this E-mail and any attachments were free of any virus, worm, Trojan horse, and/or malicious code when sent. This message and its attachments could have been infected during

transmission. By reading the message and opening any attachments, the recipient accepts full responsibility for taking protective and remedial action about viruses and other defects. Jackson Hewitt is not liable for any loss or damage arising in any way from this message or its attachments.

MTC-00015320

From: Mark R. Andrachek, Jr.
To: Microsoft ATR
Date: 1/23/02 8:52am
Subject: Microsoft Settlement

I think that the proposed settlement will do nothing to curb Microsoft's illegal practices, and thus I am against it, as a harsher penalty should be sought.

Mark R. Andrachek, Jr.
hallow@webimages.com

MTC-00015321

From: Alex Kritikos
To: Microsoft ATR
Date: 1/23/02 8:52am
Subject: Microsoft Settlement

To whom it may concern,
I would like to note that I disagree with the proposed settlement.

Regards,
Alex Kritikos
my-Channels—Technologies working together
<http://www.my-channels.com>

MTC-00015322

From: Robert Chastain
To: Microsoft ATR
Date: 1/23/02 8:49am
Subject: Microsoft Settlement

This settlement is bad for me both as a consumer and as a computer professional. It has been clear for years (to people in the computer industry) that Microsoft has had monopoly power and has repeatedly used it to bend others to their will. In addition, when the company that holds the monopoly also happens to have a history of some of the buggiest, least secure software ever produced, this is surely a bad thing for our country and our economy.

Sincerely,
Robert Chastain

MTC-00015323

From: Sweeney Jr., John E.
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:50am
Subject: Microsoft Settlement

To whom it may concern:
I am writing this letter so that my comments on the Proposed Final Judgement in the Microsoft anti-trust case will be recorded in the public record under the Tunney Act. I am originally submitting this letter as email, with a print copy to follow.

As a consumer of computing products, and a worker in the I.T. industry, I have paid close attention to this case, as I am one of millions of consumers that have been harmed by Microsoft's business practices. After watching several years of legal maneuvering, I am extremely disappointed with the terms of the settlement that has been reached. My reasons are as follows:

The PFJ does not address Microsoft's long-standing strategy to maintain and enhance its monopoly position by imposing restrictive

licensing and pricing practices on OEMs who sell Windows-equipped computers. For instance, Microsoft gives discounts on bulk Windows licenses to OEMs based on sales of unrelated Microsoft products, such as Office. They also can penalize OEMs who sell computers pre-installed with competing operating systems, and their licensing terms prevent sales of computers equipped to dual-boot both Windows and a competing system. This hinders consumers who may choose other products, both by reducing the market availability of those products, and substantially increasing the cost to acquire them. The PFJ does not address Microsoft's long-standing strategy to maintain and enhance its monopoly position by breaking compatibility with competing products. It makes gestures in that direction, by supposedly requiring Microsoft to publish its secret Windows APIs, but then it narrowly defines API, and provides several loopholes so that many important ones need not be disclosed, hindering competitors from being able to design competing, yet compatible products. Furthermore, the disclosure of Windows APIs isn't required until AFTER the deadline for ISVs to demonstrate that competing middleware is compatible. It also doesn't require Microsoft to disclose which APIs are covered by patents it holds, leaving Windows-compatible systems in and uncertain state of legality, which could deter otherwise interested consumers from using them, while if such disclosure were required competing systems could be designed which don't infringe on those patents. Finally, the PFJ does not require Microsoft to release documentation on the format of various output files it's programs create (such as the Word .doc file format, or Excel .xls file format), making it difficult for competitors to design compatible products, and when they do, making it easy for Microsoft to once again subtly change the format so that the competing product doesn't work correctly, and consumers are forced into another costly upgrade cycle.

In addition to these deficiencies, the PFJ as it is currently written does not even appear to be enforceable. There is no mechanism to insure that Microsoft will be forced to comply with its provisions and no penalty for disregarding them (although why it would wish to, since the PFJ allows the company to continue abusing the computing public for its own financial gain with almost no real hindrances, is anyone's guess)

I urge the judge to deny this PFJ and order the DOJ to either propose a new settlement (with some teeth, this time), and quickly, or to continue with the trial. While the object is not to punish Microsoft unnecessarily, the fact remains that the company is guilty of illegal maintenance of a monopoly, and the Final Judgement in this case should end Microsoft's ability to maintain it further. As the PFJ is currently written, it does nothing of the sort

John Sweeney
Systems Administrator
321-799-6033
sweeneyjr@saic.com

MTC-00015324

From: Bill Lance

To: Microsoft ATR
Date: 1/23/02 8:52am
Subject: Microsoft Settlement

I believe that the current MS settlement seriously flawed. As it stands, it not only does little correct the cost of previous illegal behavior, it actually will create many opportunities for court protected future predatory and destructive behavior.

MTC-00015325

From: Semmy Sebastian
To: Microsoft ATR
Date: 1/23/02 8:52am
Subject: Microsoft Settlement
settlement is a bad idea

MTC-00015326

From: steven@localhost.localdomain@inetgw
To: Microsoft ATR
Date: 1/23/02 8:52am
Subject: Microsoft Settlement

I wish to register my emphatic disagreement with the proposed settlement. From my reading, the settlement does nothing to restore a competitive environment, does nothing to punish Microsoft for past misconduct, and provides no assurances that Microsoft's behaviour will be constrained in the future. There is far too much history of evasion for me [or any rational person] to accept this settlement as effective.

Thanks for your consideration
Steven Filling
California State University, Stanislaus
Sent by Steven's Thinkpad.....
E-Mail: steven@samsara.csustan.edu

MTC-00015327

From: Jason C Penney
To: Microsoft ATR
Date: 1/23/02 8:53am
Subject: Microsoft Settlement

Hello,
I would like to take this time to state that I feel that the currently proposed settlement does not punish Microsoft enough for what they have done. I feel that it is sufficiently vague that it may actually encourage Microsoft to continue further down the path that got them where they are today.

Thank you,
Jason Penney
Dracut, MA
01826
Jason C Penney (jpenney@jczorkmid.net)
Xarton Dragon <UDIC@http://www.jczorkmid.net>

MTC-00015328

From: Eric Merritt
To: Microsoft ATR
Date: 1/23/02 8:53am
Subject: Microsoft Settlement

Dear Sirs,
I have a few issues with the Microsoft Antitrust resolution and I am taking this opportunity to voice them.

Section III.H.3. of the PFJ requires vendors of competing middleware to meet "reasonable technical requirements" seven months before new releases of Windows, yet it does not require Microsoft to disclose those requirements in advance. This allows Microsoft to bypass all competing middleware simply by changing the

requirements shortly before the deadline, and not informing ISVs. In this case, this section is no solution at all. It is simply a way for Microsoft to justify its anticompetitive practices by saying it is conforming to the PFJ.

Section III.D. of the PFJ requires Microsoft to release via MSDN or similar means the documentation for the APIs used by Microsoft Middleware Products to interoperate with Windows; release would be required at the time of the final beta test of the covered middleware, and whenever a new version of Windows is sent to 150,000 beta testers. But this information would almost certainly not be released in time for competing middleware vendors to adapt their products to meet the requirements of section III.H.3, which states that competing middleware can be locked out if it fails to meet unspecified technical requirements seven months before the final beta test of a new version of Windows. Once again the same issues as above. The PFJ's overly narrow definitions of "Microsoft Middleware Product" and "API" means that Section III.D.'s requirement to release information about Windows interfaces would not cover many important interfaces.

ISVs writing competing operating systems as outlined in Findings of Fact (52) sometimes have difficulty understanding various undocumented Windows APIs. The information released under section III.D. of the PFJ would aid those ISVs—except that the PFJ disallows this use of the information. Worse yet, to avoid running afoul of the PFJ, ISVs might need to divide up their engineers into two groups: those who refer to MSDN and work on Windows-only applications; and those who cannot refer to MSDN because they work on applications which also run on non-Microsoft operating systems. This would constitute retaliation against ISVs who support competing operating systems.

No part of the PFJ obligates Microsoft to release any information about file formats, even though undocumented Microsoft file formats form part of the Applications Barrier to Entry (see "Findings of Fact" 20 and 39).

Section III.I of the PFJ requires Microsoft to offer to license certain intellectual property rights, but it does nothing to require Microsoft to clearly announce which of its many software patents protect the Windows APIs (perhaps in the style proposed by the W3C; see <http://www.w3.org/TR/2001/WD-patent-policy-20010816/#sec-disclosure>). This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users, as illustrated by this report from Codeweavers, Inc.:

When selecting a method of porting a major application to Linux, one prospect of mine was comparing Wine [a competing implementation of some of the Windows APIs] and a toolkit called "MainWin". MainWin is made by Mainsoft, and Mainsoft licenses its software from Microsoft. However, this customer elected to go with the Mainsoft option instead. I was told that one of the key decision making factors was that Mainsoft representatives had stated that Microsoft had certain critical patents that

Wine was violating. My customer could not risk crossing Microsoft, and declined to use Wine. I didn't even have a chance to determine which patents were supposedly violated; nor to disprove the validity of this claim. The PFJ, by allowing this unclear legal situation to continue, is inhibiting the market acceptance of competing operating systems.

The PFJ prohibits certain behaviors by Microsoft towards OEMs, but curiously allows the following exclusionary practices:

Section III.A.2. allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system. Section III.B. requires Microsoft to license Windows on uniform terms and at published prices to the top 20 OEMs, but says nothing about smaller OEMs. This leaves Microsoft free to retaliate against smaller OEMs, including important regional "white box" OEMs, if they offer competing products.

Section III.B. also allows Microsoft to offer unspecified Market Development Allowances—in effect, discounts—to OEMs. For instance, Microsoft could offer discounts on Windows to OEMs based on the number of copies of Microsoft Office or Pocket PC systems sold by that OEM. In effect, this allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas, such as office software or ARM-compatible operating systems.

By allowing these practices, the PFJ is encouraging Microsoft to extend its monopoly in Intel-compatible operating systems, and to leverage it into new areas. Sections III.F. and III.G. of the PFJ prohibit certain exclusionary licensing practices by Microsoft towards ISVs.

However, Microsoft uses other exclusionary licensing practices, none of which are mentioned in the PFJ. Several of Microsoft's products" licenses prohibit the products" use with popular non-Microsoft middleware and operating systems. Two examples are given below.

The Microsoft Windows Media Encoder 7.1 SDK EULA states . . . you shall not distribute the REDISTRIBUTABLE COMPONENT in conjunction with any Publicly Available Software. "Publicly Available Software" means each of (i) any software that contains, or is derived in any manner (in whole or in part) from, any software that is distributed as free software, open source software (e.g. Linux) or similar licensing or distribution models . . . Publicly Available Software includes, without limitation, software licensed or distributed under any of the following licenses or distribution models, or licenses or distribution models similar to any of the following: GNU's General Public License (GPL) or Lesser/Library GPL (LGPL); The Artistic License (e.g., PERL); the Mozilla Public License; the Netscape Public License; the Sun Community Source License (CSL); . . . Many Windows APIs, including Media Encoder, are shipped by Microsoft as add-on SDKs with associated redistributable components. Applications that wish to use them must include the add-ons, even though they might later become a standard part of Windows. Microsoft often provides those

SDKs under End User License Agreements (EULAs) prohibiting their use with Open Source applications. This harms ISVs who choose to distribute their applications under Open Source licenses; they must hope that the enduser has a sufficiently up-to-date version of the add-on API installed, which is often not the case. Applications potentially harmed by this kind of EULA include the competing middleware product Netscape 6 and the competing office suite StarOffice; these EULAs thus can cause support problems for, and discourage the use of, competing middleware and office suites. Additionally, since Open Source applications tend to also run on non-Microsoft operating systems, any resulting loss of market share by Open Source applications indirectly harms competing operating systems.

The Microsoft Platform SDK, together with Microsoft Visual C++, is the primary toolkit used by ISVs to create Windows-compatible applications. The Microsoft Platform SDK EULA says: "Distribution Terms. You may reproduce and distribute . . . the Redistributable Components. . . provided that (a) you distribute the Redistributable Components only in conjunction with and as a part of your Application solely for use with a Microsoft Operating System Product. . . ." This makes it illegal to run many programs built with Visual C++ on Windows-compatible competing operating systems.

By allowing these exclusionary behaviors, the PFJ is contributing to the Applications Barrier to Entry faced by competing operating systems.

The PFJ places restrictions on how Microsoft licenses its products to OEMs, but not on how it licenses products to large users such as corporations, universities, or state and local governments, collectively referred to as "enterprises". Yet enterprise license agreements often resemble the per-processor licenses which were prohibited by the 1994 consent decree in the earlier US v. Microsoft antitrust case, in that a fee is charged for each desktop or portable computer which could run a Microsoft operating system, regardless of whether any Microsoft software is actually installed on the affected computer. These agreements are anticompetitive because they remove any financial incentive for individuals or departments to run non-Microsoft software.

MSNBC (a subsidiary of Microsoft) offers software called NewsAlert. Its EULA states "MSNBC Interactive grants you the right to install and use copies of the SOFTWARE PRODUCT on your computers running validly licensed copies of the operating system for which the SOFTWARE PRODUCT was designed [e.g., Microsoft Windows(r) 95; Microsoft Windows NT(r), Microsoft Windows 3.x, Macintosh, etc.]. . . ." Only the Windows version appears to be available for download. Users who run competing operating systems (such as Linux) which can run some Windows programs might wish to run the Windows version of NewsAlert, but the EULA prohibits this.

MSNBC has a valid interest in prohibiting use of pirated copies of operating systems, but much narrower language could achieve the same protective effect with less anticompetitive impact. For instance,

"MSNBC Interactive grants you the right to install and use copies of the SOFTWARE PRODUCT on your computers running validly licensed copies of Microsoft Windows or compatible operating system."

An episode from the 1996 *Caldera v. Microsoft* antitrust lawsuit illustrates how Microsoft has used technical means anticompetitively.

Microsoft's original operating system was called MS-DOS. Programs used the DOS API to call up the services of the operating system. Digital Research offered a competing operating system, DR-DOS, that also implemented the DOS API, and could run programs written for MS-DOS. Windows 3.1 and earlier were not operating systems per se, but rather middleware that used the DOS API to interoperate with the operating system. Microsoft was concerned with the competitive threat posed by DR-DOS, and added code to beta copies of Windows 3.1 so it would display spurious and misleading error messages when run on DR-DOS. Digital Research's successor company, Caldera, brought a private antitrust suit against Microsoft in 1996. (See the original complaint, and Caldera's consolidated response to Microsoft's motions for partial summary judgment.) The judge in the case ruled that "Caldera has presented sufficient evidence that the incompatibilities alleged were part of an anticompetitive scheme by Microsoft." That case was settled out of court in 1999, and no court has fully explored the alleged conduct. The concern here is that, as competing operating systems emerge which are able to run Windows applications, Microsoft might try to sabotage Windows applications, middleware, and development tools so that they cannot run on non-Microsoft operating systems, just as they did earlier with Windows 3.1.

The PFJ as currently written does nothing to prohibit these kinds of restrictive licenses and intentional incompatibilities, and thus encourages Microsoft to use these techniques to enhance the Applications Barrier to Entry, and harming those consumers who use non-Microsoft operating systems and wish to use Microsoft applications software.

Please do not allow this PFJ as it is currently worded

MTC-00015329

From: Heather James
To: Microsoft ATR
Date: 1/23/02 8:53am
Subject: Microsoft Settlement

As a programmer since 1992 and a web developer since 1995, I want to add my voice to the list of folks who feel Microsoft has continually abused its monopolistic position in the software industry. I feel the current settlement gives Microsoft too many opportunities to undermine the free software movement. Free software is a learning tool for current and future programmers as well as a venue for sharing knowledge resources.

It's also important that there be other sources for software, as Microsoft has continually shown that user security is a low priority to them. This is witnessed by all the virus alerts last year due to "Sircam", "Code Red", "I Love You" and many other viruses and trojan attacks that targeted the large

security leaks in Microsoft Outlook and the Windows operating system.

It also amazes me that no penalties have been levied against Microsoft considering their many past abuses and the financial resources that they have.

It appears that they have violated the spirit of many previous agreements and as there is no penalty for these violations, what is there to send a message about possible future violations. What is to keep them from future abuses and monopolistic behaviour? Why would they even care about this settlement if it has no "teeth"?

As Thomas F. Reilly, attorney general of the Commonwealth of Massachusetts said, "The Microsoft case always has been about simple, American principles: opportunity, competition, and fair play. Our economy is built on those principles. The future of high technology demands that we fight for them."

Because of the importance of this, the case should not end without a remedy that restores competition.

Heather James
hjames@thewebgal.com

MTC-00015330

From: Kevin Ratliff
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:55am
Subject: Microsoft Settlement

To whom it may concern:

Since the start of this case Microsoft has not changed its business practices and several new complaints have been made against this defendant. From the standpoint of a consumer, Microsoft has always dominated the marketplace for PC operating systems as well as many markets for other software products. The claim by Microsoft that some of the proposed remedies would stifle innovation is in my opinion false. As a computer technician, I work with Microsoft products on a daily basis and can assure you that Microsoft is not the innovator it claims to be. Had this defendant not abused its position in the marketplace, the market itself would of forced actual innovation, as well as fair competition resulting in a greater number of products, and competitors in the marketplace.

Kevin Ratliff
Woodridge, Illinois

MTC-00015331

From: bbohling@wt6.usdoj.gov@inetgw
To: Microsoft ATR
Date: 1/23/02 8:54am
Subject: disagree with Microsoft settlement

To Whom it May Concern, I must disagree with the Dept of Justice settlement in the Microsoft anti-trust case. While I don't feel the agreement appropriately addresses the issue of Microsoft's misconduct, my primary objection is that the agreement lets Microsoft pay their penalty "in kind" by donating software and technical support. Since Microsoft themselves establish the price tag for what the software and support are worth, the agreement basically just says Microsoft has to pay a fine and get to determine how much that fine will be. They have the money; if they want to pay off their debt by helping schools, make them do it with cash. The agreement as it stands is simply a concession

to Microsoft on the order of just putting a black star in the book next to their name. If they are indeed guilty of the unfair practices they've been charged with, that's not enough. regards, Bill Bohling

The views expressed in this letter are mine alone and do not in any way reflect the views and opinions of those whose mail server I'm on.

MTC-00015332

From: Mike Skallas
To: Microsoft ATR
Date: 1/23/02 8:54am
Subject: Microsoft Settlement
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Hello,

I find the current settlement with Microsoft to be very light considering their crimes. A fair settlement would force Microsoft to break-up into an OS company and a software company. Also, a government body must be formed to oversee all API releases and the settlement itself must force MS to releave everything about its OS in regards to APIs for the next 5 to 10 years.

The newly formed second company must release all of its Office file formats to the point where a third-party can create, edit, and read these formats just as well as the current Microsoft can. Again, a government accounting body should oversee this for at least the next 5 to 10 years.

Michael Skallas
6125 N. Talman
Chicago, IL
60659

MTC-00015333

From: cowie@renesys.com@inetgw
To: Microsoft ATR
Date: 1/23/02 8:54am
Subject: Problems with the Proposed Final Judgement [Submitted by email to microsoft.atr@usdoj.gov]

22 January 2002
Renata B Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

I appreciate the chance to write to you regarding the proposed final judgment in *US v. Microsoft*, currently before the public for comment. There are many serious problems with the proposed final judgment, which by itself is insufficient to "terminate the illegal monopoly, deny to the defendant the fruits of its statutory violation, and ensure that there remain no practices likely to result in monopolization in the future" (p.99 of the Court of Appeals ruling). To save space, I shall focus on only one issue here, the disclosure of undocumented interfaces to promote competition on the desktop.

The parties have agreed that Microsoft must disclose the details of their application programming interfaces (API) so that software authors can write new "middleware" that works correctly alongside

Microsoft software on the desktop. However, Section III.D of the proposed judgment places arbitrary and undue restrictions on the recipients of this information. For example, they must be commercial concerns, and specific kinds of commercial concerns at that: ISVs, IHVs, IAPs, ICPs, or OEMs. They would be unable to use the APIs to reduce Microsoft's monopoly power in innovative ways that exceed the extremely limited technical scope of the Judgment (for example, by promoting the ability of endusers to run Microsoft applications atop non-Microsoft operating systems).

To constitute an effective remedy to monopoly, a better settlement would require Microsoft to simply open the Windows APIs (though not their proprietary source code that implements those interfaces) as well as their application file formats (though not their proprietary source code that reads and writes those formats) for the unrestricted inspection of the public at large.

Opening up more APIs to the public would have been the least unpleasant and most direct means to open up the Windows desktop for competition, by lowering the artificial barriers to entry for competing middleware applications and operating systems (including those written by individuals, not-for-profits, and for-profit companies not currently covered by Section III.D).

Thank you for your time.
James Cowie
Deering, New Hampshire

MTC-00015334

From: Anthony, Jude J (N-SAIC)
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 8:54am
Subject: Microsoft Settlement

To Whom It May Concern: This message is my comment to the United States v. Microsoft case, which the court is required to consider under the Tunney Act. I find the Proposed Final Judgement (henceforth the judgement) in the United States v. Microsoft case to be unacceptable. I believe the judgement is too narrow, as it addresses only particular versions of Microsoft's operating systems. I further find that the judgement does not include any means of enforcement.

While I find many other provisions of the judgement to be unsatisfactory, I wish to specifically protest Section III.A.2, which allow Microsoft to retaliate against OEMs that ship PCs with an operating system other than Microsoft's, and Section III.B, which allows Microsoft to discount products to OEMs based on their volume sales of other products. I find Section III.A.2 to be anticompetitive, and Section III.B monopolistic. Both these provisions are offensive when Microsoft's past behavior, and the finding of fact that Microsoft is a monopoly, are taken into account.

Thank You,
Jude Anthony

MTC-00015335

From: Fader
To: Microsoft ATR
Date: 1/23/02 8:36am
Subject: Microsoft Settlement

To whom it may concern: I am writing in regards to the proposed settlement in the

Microsoft antitrust trial. I am a recently graduated computer programmer, working in Beckley, WV.

I do not feel that the proposed settlement truly addresses the anticompetitive actions that Microsoft has taken. Speaking for myself, at the moment, I know better than to even try to write a new, unique piece of software. If I write a program that competes with a Microsoft product, they will drive me out of business by integrating their product into their operating system, something I cannot do without access to their source code. If I write a program that adds new functionality, they will quickly write a knockoff version of my product and again integrate it with their operating system. This is not mere paranoia, and this behavior has not stopped since the trial. Ask Kodak, who invested a great deal of time and money into creating digital camera software to work with Windows. They worked closely with Microsoft, and were quite happy—until Windows XP came out, and Microsoft had included a product that mirrored what Kodak had written integrated with the operating system. This is just one example out of many. This trial has implications far beyond Microsoft and Netscape. I know many developers who feel the same way that I do. We are afraid to innovate, because our hard work will be stolen or driven into the ground.

Thank you, and I hope you will do the right thing and reexamine this settlement.

Sincerely,
Ronald McCollam II
108 Ball Street
Beckley, WV 25801

MTC-00015336

From: Barry A. Warsaw
To: Microsoft ATR
Date: 1/23/02 8:54am
Subject: Microsoft Settlement

The proposed Microsoft settlement with the US Department of Justice is a bad settlement, and would hurt consumers and the software industry. It would reduce the amount of choice that consumers have and actually increase and extend the monopoly held by Microsoft. As one example of the problems, the Proposed Final Judgement (PFJ) does not prohibit discriminatory practices in Microsoft licenses. Microsoft's End User License Agreement (EULA) prohibits uses of add-on software and services on competing, Microsoft-compatible operating systems. Such systems (e.g. Macintosh and Linux) are technically able to operate in a compatibility mode that allows software such as Microsoft Office, to run on non-Microsoft operating systems, however the standard license agreements on Office prohibit this. This is only one of the scores of problems with the PFJ. I urge you to reject the PFJ and to re-negotiate settlement terms that actually address the known monopolistic practices of Microsoft.

Sincerely,
Barry A. Warsaw
Software Developer
403 Belton Road
Silver Spring, MD 20901
301.681.0289

MTC-00015337

From: Nathan Lenz

To: Microsoft ATR
Date: 1/23/02 8:55am
Subject: Microsoft Settlement

Dear Sirs,

I ask you to please not accept the current Microsoft settlement. In its current state, it does nothing to keep Microsoft from keeping its monopoly.

The only way to create fair competition is to force Microsoft to open their file formats, protocols and APIs. This would not force them to open up their source code. It would allow others to write competing software that fully integrates with Microsoft products.

Thank you,
Nathan Lenz

MTC-00015338

From: Jim Gruen
To: Microsoft ATR
Date: 1/23/02 8:55am
Subject: Microsoft Settlement

Dear U.S. Department of Justice,

As a student of computer science with 15 years of experience in the computing field, I felt that I should notify you of my concern with the proposed government settlement with the Microsoft Corporation. As highlighted by Dan Kegel's comments (<http://www.kegel.com/remedy/letter.html>), the proposed settlement will achieve little to restore a healthy and competitive environment in the computing field. Microsoft is not bad because it is a large corporation, but rather because of the startling effects, both economic and social, of its anticompetitive measures. Microsoft Corporation, as proven in the antitrust trial, has taken extreme steps to squelch any competition. This in turn has extended a more fearful consequence: Microsoft's brute dominance over the computing field has taken away much of that field's glamour, deterring many intelligent people from pursuing the study of computing. This indeed has resulted in the stifling of the computing technology of our country. If much stronger action is not taken against the Microsoft Corporation, there can be little hope for our country's technological environment.

Jim Gruen
Computer Science major, Georgia Institute of Technology
Peer Leader, Howell Residence Hall

MTC-00015339

From: Pete Guhl
To: Microsoft ATR
Date: 1/23/02 8:56am
Subject: Microsoft Settlement

The settlement is an incredibly HORRIBLE deal. I have been in the IT/IS field for several years and am, frankly, perplexed that Microsoft might be able to get away with this unlike the Mafia. They must be stopped. Don't let Microsoft keep it's monopoly on PC's!!!

Pete Guhl, MCSE

MTC-00015340

From: Hill-Popper, Carl R.
To: Microsoft ATR
Date: 1/23/02 8:55am
Subject: Microsoft Settlement

Regarding the Microsoft settlement, I don't believe that the current proposal provides

adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition. Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time,
Carl Hill-Popper

MTC-00015341

From: Borgerding, Zachary
To: Microsoft ATR
Date: 1/23/02 8:55am
Subject: Microsoft Settlement

To whom it may concern,

As an everyday computer user, I feel that the proposed Microsoft settlement is not enough. The settlement will continue to allow Microsoft to develop a platform and business model prohibits the existence of competition. Without competition, computer hardware and software would simply fail to improve and continue to be insecure and unstable.

Microsoft, despite having 90% of the computer operating system market continues to fail to innovate and significantly improve their products. By allowing Microsoft to continue to have a closed source platform (Windows), Microsoft can continue this trend, ultimately slowing the improvement of computer software. Microsoft's control over the computer software market has grown much too powerful. Competition stands no chance... THIS IS A MONOPOLY. Microsoft is breaking the law, and their profits are a result of their illegally anti-competitive business model. The proposed settlement needs to be improved and changed, or else Microsoft's illegal actions will continue. Count me in on the growing list of individuals whom are not content with the proposed settlement decision.

Thank you,
Zach Borgerding

MTC-00015342

From: Colin Cannell
To: Microsoft ATR
Date: 1/23/02 8:55am
Subject: Microsoft Settlement

Hello, I'd just like to add my comments to the proposed settlement. As a longtime Macintosh system administrator, I have firsthand experience with the frustration of trying to get my systems to interlock with Microsoft software. Through the use of

proprietary formats and secret APIs, Microsoft has successfully prevented Macintosh users from reading its audio and video formats, opening and editing its document formats, accessing Windows-based network storage, and generally getting anything done without the use of software expensively supplied and infrequently updated by Microsoft itself. Based on my work in the field, I concur wholeheartedly with those who argue that the proposed settlement contains artificial restrictions that will effectively castrate it. I would urge you to at the very least reconsider your definitions of "Windows" and "API" to make them useful and to require Microsoft to publish the format of its MS Office products for all current and future versions of the program.

Regards,
Colin Cannell

MTC-00015343

From: Michael P McGill
To: Microsoft ATR
Date: 1/23/02 8:55am
Subject: Microsoft Settlement

I think the proposed settlement with Microsoft is flawed. Please see Dan Kegel's comments (<http://www.kegel.com/remedy/letter.html>).

Michael P McGill
Director, Software Development
HealthASPex, Inc.
Phone: 301-657-8003
Cell: 301-814-2823

MTC-00015344

From: Paul.Belt@LibertyMutual.com@inetgw
To: Microsoft ATR
Date: 1/23/02 8:56am
Subject: microsoft settlement

Breaking up Microsoft won't do anything. They are a computer company. They are distributed by nature.

Breaking up Microsoft will only force upper management to communicate. Do you research. MS wanted Dos... they had MS Word... MS Word 5.5 for Dos has a lovely little line of code in it that asks, "Am I running on Microsoft Dos?"

If the answer is no, it fails. If one modifies that ONE line of code to ignore the results of that question, the product works fine. How many end-users does that effect? ALL OF THEM! How many end-users know how to even look for that line? Less than 1 percent. Just one example. You want a fast way to out Microsoft's most heinous business habits? Look at the DOJ's history and how many times they have bought their freedom.

MTC-00015345

From: David Greenberg
To: Microsoft ATR
Date: 1/23/02 8:57am
Subject: Microsoft Settlement
The proposed settlement is bad.
David Greenberg

MTC-00015346

From: richard
To: Microsoft ATR
Date: 1/23/02 8:54am
Subject: Microsoft Settlement

The proposed remedy and settlement in this case is much too limited. Microsoft is a

very REAL danger to computer competition with respect to Operating Systems and programs. Hit them hard; make a strong statement to desist all such practices.

MTC-00015347

From: Bryce
To: Microsoft ATR
Date: 1/23/02 8:58am
Subject: Microsoft Settlement

I do not support the proposed Microsoft settlement. I believe that a company who has shown so much disregard for consumers and competitive business will need a much stricter punishment. Microsoft has shown that they will continue to abuse their monopoly if it exist. A perfect example is windows XP with all its new features. Each new feature of XP drives to put small companies out of business. Look at the media player, cd recording software, internet browser (still). The list goes on. I do support making the API for windows open, and making the MS Office file formats available to the public. I do mean public not for license to competing companies. If i wanted to spend a few nights and write software to read a basic MS Word file i want to be able to do that with out being incorporated, every other popular text format is available for this kind of use.

Bryce Hauptman
1316 Wolf Court
East Lansing, MI 48823

MTC-00015348

From: Jeremy Petersen
To: Microsoft ATR
Date: 1/23/02 8:58am
Subject: Microsoft Settlement

I think the proposed settlement is bad idea!
Jeremy Petersen
Manager, Web Application Engineering
TeachStream
800.572.1153 #272

MTC-00015349

From: Chris Baxter
To: Microsoft ATR
Date: 1/23/02 8:58am
Subject: Microsoft Settlement

Under the Tunney Act I wish to comment on the proposed Microsoft settlement. I feel this settlement is extremely favorable to Microsoft and guarantees their continued status as a monopoly. From what I've read, this settlement does nothing to encourage Microsoft to release their proprietary file formats to other developers. Because of Microsoft's market position, their software and data file formats are the de facto standard of data storage and transmission and until they are forced to release the formats of their Office product line to third party competitors they will remain a monopoly. Thank you.

Chris Baxter
8320 US 23
Risingsun, OH
43457

MTC-00015350

From: Josh Steinhurst
To: Microsoft ATR
Date: 1/23/02 8:57am
Subject: Microsoft Settlement

I do not feel the proposed settlement is either a: 1) a fair punishment for past misdeeds; or 2) an adequate safeguard against future problems. There are other people who will state this all much more clearly than I can. However, as a computer science graduate student who has studied the technical issues at stake I can assure you that an unfettered Microsoft is a danger not only to other ISVs and HSVs but to the nation and world as a whole. For example, the ever increasing number of exploits and viruses which infect Win32 machines is proof that when one platform rules it all there can be no safety.

From a technical standpoint I have seen both in my academic research and my journeys into corporate America just how Microsoft has been stifling innovation, not fostering it as they claim. Sadly the proposed settlement requires them to do nothing of substance. I am not a lawyer and even I can see the loopholes they will slide through. The other problem is that the settlement concentrates on the wrong things. None of the requirements will actually punish anti-competitive behavior. Furthermore the 3 person team responsible for investigating claims of misdeeds is not setup in way that gives me any confidence in their autonomy or strength. Only one of the three will be there without Microsoft's approval. Why does the DOJ refuse to stay involved in the matter like it did for IBM? It is my judgement that the proposed settlement is nothing but a sell-out. I urge you to do your job, not Microsoft's and protect the country and the world from a proven law breaker.

Josh Steinhurst
Graduate Student
University of North Carolina at Chapel Hill
CB# 3175; Sitterson Hall
Chapel Hill, NC 27599-3175b

MTC-00015351

From: TJ
To: Microsoft
ATR.petition@kegel.com@inetgw
Date: 1/23/02 8:58am
Subject: The Proposed Microsoft Settlement is a Bad Idea.

Why bother having laws if you're only going to enforce them selectively?

Travis Eckman
13 Linden Ave.
Jamestown, NY 14701

MTC-00015352

From: Theodore A. Jump
To: Microsoft ATR
Date: 1/23/02 8:57am
Subject: Microsoft Settlement

I feel that the settlement with Microsoft is insufficient, both in punitive measures and in adding to the legal history of what actions are acceptable by business in general, and will not in reality change any practices of Microsofts in any valuable way. Sincerely,
-Theodore A. Jump

Professional Software Engineer

MTC-00015353

From: Ron Miller
To: Microsoft ATR
Date: 1/23/02 8:57am
Subject: Microsoft Settlement
To Whom It May Concern,

In my opinion, the proposed settlement is a bad idea for the following reasons:

1. It does not restrict Microsoft from continuing to use monopolistic business practices.
2. It does nothing to foster true competition with Windows.
3. It does not restrict or punish Microsoft from "bundling" software, like Internet Explorer, which hurts possible competitors.
4. "Punishing" Microsoft by making it provide hardware and software to schools is providing it with a future customer base who will then be used to its monopolistic practices and consider them normal.

Thank you,
Ron Miller

MTC-00015354

From: Patrick Nichols
To: Microsoft ATR
Date: 1/23/02 8:58am
Subject: Microsoft Settlement

I wish to express my opposition to the proposed Microsoft settlement. As a developer familiar with both Microsoft and Linux in my work, I am certain that this settlement will result in a continuation of Microsoft's monopoly status and ultimately result in the loss of America's standing as the leader in world technology.

Sincerely,
Patrick Nichols
1245 Westover Ave Norfolk VA 23507

MTC-00015355

From: Judd Rogers
To: Microsoft ATR
Date: 1/23/02 8:59am
Subject: Microsoft Settlement.

The settlement negotiated with the Department of Justice is inadequate to the task. Please abandon it. The alternative proposal put forth by the 9 states seems much better but is still not enough. Judge Jackson's original proposal seems best. Section J2 of negotiated settlement is particularly troubling. It allows Microsoft to decide if any competitor is a legitimate and viable business. What about the SAMBA project? It seems likely Microsoft would not regard a non-profit as a viable business. H1 seems to regard all middle-ware as products with specific user interfaces. COM would not be such a middle-ware product. This would seem to permit Microsoft to disable any replacement for their COM product.

Yours,
Judd Rogers

MTC-00015356

From: Blake Ragsdell
To: Microsoft ATR
Date: 1/23/02 8:59am
Subject: Microsoft Settlement

To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future. The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the

operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general. While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,
Blake Ragsdell

MTC-00015357

From: dhouston@bio.ri.ccf.org@inetgw
To: Microsoft ATR
Date: 1/23/02 8:59am
Subject: Microsoft Settlement

The current proposed Microsoft Settlement is a bad idea. They broke the law. They deserve to be punished. The computer market would be much more dynamic without the monolithic presence of Microsoft in its current unfettered form.

thanks
dale
Dale HoustonMissile Toe
Cleveland Clinic Foundation Jan. 26 @ The Lime Spider
Department of Biostatistics w/King Dapper Combo

MTC-00015358

From: Ty Brewer
To: Microsoft ATR
Date: 1/23/02 8:58am
Subject: Microsoft Settlement

As a computer professional I am quite upset at the proposed Microsoft settlement because it fails to adequately protect the consumers from future Microsoft behavior, nor does it punish Microsoft for their illegal behavior. I am not advocating punishment for the sake of punishment, but as a means of creating more competition in this most vital industry.

Microsoft is without peer in operating systems, consumer applications and back-office server applications. Sadly, we are all too often forced to adopt an "all or none" approach when making software decisions because we fear the brute force Microsoft brings to bear on future competitors. It is far safer for us to pick Microsoft products than those from a competitor because Microsoft has clearly shown a willingness and ability to destroy competitors.

Our company picked the Netscape browser as our corporate standard, yet two years later had to reverse ourselves. This decision was not based on the superiority of Microsoft's Internet Explorer, but on the reality that the Netscape browser was more and more frequently being forced off the desktop of

new PCs. This created an additional burden on us to provide the browser that formerly had been installed by default on every new computer. Microsoft, in effect, made that decision for us.

I urge the US government to take action against Microsoft to restore the possibility of competition. If this is not done now, it will most certainly be necessary in the future.

The proposed settlement is bad for everyone except Microsoft.

Ty Brewer

MTC-00015359

From: rogan hamby

To: Microsoft ATR

Date: 1/23/02 8:59am

Subject: Microsoft Settlement

RE: Objections to Microsoft Settlement

Dear Sir or Madam:

I am writing to comment on the proposed anti-trust settlement with Microsoft. The proposed terms of the settlement fail to accomplish the intended task of correcting Microsoft's past behavior in the future. The proposed settlement uses such narrow definitions that they are free to continue their activities with new products that internally function differently but have the same market role.

The two most significant of these items concern middleware and APIs. APIs are defined for the settlement as the interface between middleware and the Windows operating system but leave out application APIs such as those for Internet Explorer and Microsoft Office. Because Microsoft bundles OS functionality into these APIs they can hide code that they should be releasing by the spirit of the settlement (but not terms of) there. This also further gives them leverage to bundle and enforce bundling of their products together as they did with IE. This is a thin line between legitimate leveraging and monopolistic behavior but the courts have already determined which it is.

The final definition of middleware used was much more restrictive than that used in the Findings of Fact. There are several faults but the most significant of which is that it uses the title of code to determine whether or not it falls under the power of the settlement, allowing a cosmetic change in the name of code to determine whether or not it falls under the settlements terms.

I know that many others have written far lengthier analysis of the situation but I hope that you will take these comments in the vein of a concerned citizen that has worked in computer technology both for private industry and local government sectors.

Rogan Hamby
Charlotte, NC

MTC-00015360

From: Don Silvis

To: Microsoft Settlement

Date: 1/23/02 8:59am

Subject: "Microsoft Settlement"

Your Honor, As concerned Americans, we urge you to reject the proposed final judgment in the U.S. vs. Microsoft case. Microsoft should not reap the rewards of its past illegal activities, yet this settlement would do just that. Furthermore, there need to be provisions that assure us that Microsoft

will cease its anti-competitive behavior. For these reasons, we ask you to throw out the proposed settlement which is harmful to consumers everywhere.

Many thanks,
Donald Silvis
2103 N. 7th Str.
Sheboygan, WI 53081
Tel. (920) 451 0866

MTC-00015361

From: Bernhard Rosenkraenzer

To: Microsoft ATR

Date: 1/23/02 9:00am

Subject: Microsoft Settlement

Comment on the proposed Microsoft Settlement under the Tunney Act

Being a software developer who has been hurt by Microsoft's illegal monopolist practices in the past and present, I do not think the proposed Microsoft settlement is acceptable.

There are many loopholes that will allow Microsoft to go ahead just as if nothing had happened:

Having to open APIs will not do any good unless API is both

—defined in a much wider range, including but not limited to functions in all important libraries (not just those needed to boot the system), and file formats (most notably the ones used by Microsoft Office. Many non-Microsoft applications need to be able to import and export Microsoft Office files).

—extended to cover patents. For example, Microsoft is currently trying to push ASF as a standard for video files. Since ASF is covered by patents, it is impossible to (legally) create or play back ASF files on non-Microsoft platforms, such as Linux. It is vital that the patents may be used free of charge; if this isn't done, Open Source applications (which are mostly volunteer work) will be shut out.

The limitations on OEM deals are not sufficient either. Almost all larger OEMs have deals with Microsoft that pay Microsoft a fee per shipped computer rather than per shipped computer that is actually shipped with Windows, giving OEMs no incentive whatsoever to even consider alternatives.

Furthermore, the rules must be enforced much better. A committee without any real power is very likely to get ignored by Microsoft.

Their previous conduct shows that they never respected any restrictions imposed upon them unless strictly enforced.

I suggest the committee must

—Be obligated to investigate any violation reports from the public

—Make all their findings public so there is some public control over them to ensure Microsoft does not just buy them out

—Have enough power to make Microsoft take them seriously, such as being able to prevent Microsoft products from being sold as long as they are violating terms AND fining them with fees that will actually hurt a company as large as Microsoft.

Thank you for your attention.

MTC-00015362

From: John Whitson

To: "microsoft.atr(a)usdoj.gov"

Date: 1/23/02 8:59am

Subject: Microsoft Settlement

Good morning.

I have two comments on the Microsoft Anti-Trust case, and its pending settlement.

The first regards access to the secret inner workings of the Microsoft Operating Systems (OSs) and their associated user interfaces. As part of the settlement, Microsoft should be required to publish documentation for all interfaces between all software components, file formats, and communications protocols. For years, Microsoft has implemented various secret and incompatible interfaces, which prevents development of any competitive products. For example, the market leader WordPerfect was quite effectively driven from the market by Word for Windows' better performance under Windows 95, because the developers of Word had access to complete documentation for the Win9x interfaces, while the WordPerfect team were required to make do with the pittance released to the general public by Microsoft. Internet Explorer was able to push out the market leader Netscape by similar tactics.

Requiring Microsoft to publish all of their interfaces would level the playing ground, and might well eliminate the desire to break up the software giant. Access to the interfaces would allow competitors to write better code, and would benefit end users greatly, as more and better software would become much easier to develop for each OS.

Finally, for my own field, network security, the boon would be great indeed. Microsoft recently announced that they are finally going to start paying some attention to security, but it's too little, too late. Access to Microsoft's interfaces would allow much more thorough probing for security weaknesses and would provide better opportunity for rapid identification and correction of problems.

The second comment is this: Why in the world didn't anyone from the Department of Justice (DOJ) notice Microsoft's greatest concern in the whole Internet Explorer fiasco? Microsoft's spokesman repeatedly said in interviews "you can not tell us what makes up an operating system." In fact, any first-year computer science student can tell you what makes up an operating system. An OS is the interface between applications and hardware. It handles the input and output of various devices. That is all. Internet Explorer is not part of the Operating System. It's an application, like Word, Excel, or my new video game.

This brings me to the crux of Microsoft's fears: Windows is not an operating system, either. Windows is a Graphical User Interface (GUI) laid over an Operating System. Microsoft's desperate prevarication over the "definition of an operating system" came because if anyone had made a cogent argument that the GUI and the OS are separate, Microsoft could have been required in a settlement to separate the GUI and the OS. It is quite conceivable that Microsoft could sell the OS (which Microsoft mis-labels the Kernel) from the GUI, which would permit competitors to sell GUIs that would be 100% compatible with all existing software. I could be running the Windows XP kernel

with a Norton GUI on my system, if Microsoft hadn't been allowed to maintain the fiction that somehow the GUI was an integral part of the OS.

In my perfect world the Microsoft GUI and Microsoft OS would be separated. This isn't likely to happen at this late stage in the game, but I would like someone at DOJ to keep it in mind for the next time Microsoft crosses the line.

Thank you,
John Whitson
Network Security Consultant
VeriSign Consulting
Boston
617-308-0325

MTC-00015363

From: Gary Honeycutt
To: Microsoft ATR
Date: 1/23/02 9:00am
Subject: Microsoft Settlement

I am sorry that I do not have time to comment further, but there will be no true justice regarding this case without a breakup of Microsoft. What has been proposed is tantamount to a slap on the wrist for one of the most domineering, anticompetitive monopolies that has ever existed. Please do not give in to corporate pressure. Even while you contemplate this proposed settlement Microsoft continues their domineering "bully" tactics on a market without competition. I speak from experience as both a computer network administrator and as a builder of new computer systems.

MTC-00015364

From: Stephen Goguen
To: Microsoft ATR
Date: 1/23/02 9:00am
Subject: Microsoft Settlement

I have read about the proposed settlement, and I am not in favor of it in its current state. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors.

It is in my opinion as a software professional, that the proposed settlement does not do enough to promote the advancement of technology through fair competition and commodity markets. Many of my grievances can be noted on Dan Kegal's website as indicated in his essay <http://www.kegel.com/remedy/remedy2.html>

Stephen Goguen
155 Lafayette Ave. Apt 14B
Hawthorne, NJ 07506

MTC-00015365

From: Staelin, Carl
To: Microsoft ATR
Date: 1/23/02 9:00am
Subject: Microsoft Settlement

Dear Sir,

I am strongly opposed to the proposed final judgement in the Microsoft anti-trust trial. I think it does nothing to punish a convicted and stridently unrepentant monopolist, and provides no relief to current and future Microsoft competitors. Suppose some whiz kid comes up with a new "killer app" like Netscape, and starts a company to develop and market the application. If the company is a success, Microsoft can still use many of its monopolistic practices to squash the

upstart, such "integrating" a competing application into the operating system, or adding slightly broken APIs for "security" reasons which can then be kept secret, and so forth.

Due largely to this scenario, I know that many investors are hesitant to fund any company which might compete with Microsoft because there is no potential profit. Any success will be stolen/squashed by Microsoft. In large part due to funding problems, the most energetic competitors to Microsoft are often found in the OpenSource arena. Unfortunately, the proposed final judgement does nothing to aid this vibrant source of competition. In addition, Microsoft has recently become aware of this competition, and is now starting to add restrictive licensing terms to various products and toolkits to try and prevent users and developers from using OpenSource and Microsoft products together. Since Microsoft is a monopolist, this would effectively squash OpenSource competition also. Any final judgement should do much more to open APIs, file format specification, and documentation to private individuals as well as corporations. It should also prohibit any licensing terms restricting a user or developer's right to use or distribute Microsoft and non-Microsoft code together. In addition, all contractual and licensing terms which effectively remove any financial incentive to use competing products should be prohibited, such as terms which force OEMs or enterprises to pay licensing fees based on the number of computers rather than the number of computers running Windows. In addition, I think it may be necessary to find more creative solutions to Microsoft's conduct, such as forcing Microsoft to license their patents that cover various aspects of Windows to all comers for free, so free alternatives to Windows such as "wine" can flourish. I know that this is taking private intellectual property, but it is a mild punishment for felonious conduct. I think the court should also reconsider more extreme measures, such as dividing the company into multiple competing companies, as was done with Standard Oil and Bell Telephone.

Thank you for your time and consideration,

Carl Staelin

The opinions expressed above are strictly my own, and do not necessarily agree with my employer's views. I am a US Citizen working abroad.

Senior Research Scientist
Hewlett-Packard Laboratories
Technion City
Haifa, 32000
ISRAEL
+972(4)823-1237x221+972(4)822-0407 fax

MTC-00015366

From: Michael Bourgon
To: Microsoft ATR
Date: 1/23/02 9:00am
Subject: Microsoft Settlement

I would like to add my voice to the proposed Microsoft settlement, and say that it's a bad idea. Microsoft has continued to exert its monopoly, during the trial and afterwards. This is a company that repeatedly

had people lie under oath, threaten competitors, and flat-out abuse its monopoly.

I would love it if the settlement would curb Microsoft's behavior, but I doubt that would be the case. Please reconsider the settlement, and create one that will actually encourage competition and ensure that Microsoft's past practices don't happen again. I'm a fan of the free market, but I also like to see competition in the marketplace. Microsoft has repeatedly tried to stomp out competition. Please reconsider the settlement. Thank you.

MTC-00015367

From: John.Murray@cantire.com@inetgw
To: Microsoft ATR
Date: 1/23/02 9:00am
Subject: Microsoft Settlement

I think that the proposed settlement is a bad idea. It lets Microsoft off the hook for past crimes and allows them to continue to exert a stranglehold on the software industry.

MTC-00015368

From: lachish@pop.dcmindiana.com@inetgw
To: Microsoft ATR
Date: 1/23/02 9:00am
Subject: Microsoft Settlement

I am writing in regard to the settlement proposal for Microsoft. I believe that the settlement does not go far enough to allow Open Source Operating Systems to fairly compete. There are 2 areas that concern me greatly:

1. File formats under this settlement are still not disclosed. This prevents Open Source applications and operating systems from being compatible. Microsoft will still have a stranglehold on the application software market.

2. The APIs are still not opened up far enough to allow other operating systems to either use products like Microsoft Office natively, or to develop competing, compatible products. Please reconsider the scope of the proposed settlement, and provide remedies for these problems.

Thank you,
Daron D. Fraley
IT Manager
DCM Indiana, Inc.
Plainfield, IN 46168
317-839-7347

MTC-00015369

From: Wohlers, John
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 8:54am
Subject: Microsoft Settlement

I really don't think the government should settle for anything less than the breakup of Microsoft. They hold to great a market share to allow any real competition at least in the home market. I believe Linux is managing to squeeze a little into the business market, but as soon as Microsoft turns its attention towards Linux fully they will completely crush it due to their stranglehold on the consumers.

As a personal consumer, I find it atrocious that I have to spend almost \$90 every time I replace my pc in order to have a legal copy of Microsoft operating system. I would gladly switch to something else, but many of the programs I use for home/work do not run on anything but MS windows. Please do

something about this bullying megacorp asap!

John Wohlers
Library Technology Assistant
Waubonsee Community College
Rt 47 @ Waubonsee Drive
Sugar Grove IL, 60554

MTC-00015370

From: Eric Frey
To: Microsoft ATR
Date: 1/23/02 9:00am
Subject: Microsoft Settlement
Ladies and Gentlemen:

This letter is to indicate my strong opposition to the currently proposed settlement of the Microsoft Antitrust case. I have made my living as a professional in the software industry since 1965, and the currently proposed settlement will not, in my opinion, restore free competition to the marketplace, nor will it prevent Microsoft's continued abuse of monopoly power.

Eric D. Frey
2205 W. Fremont Rd.
P.O. Box 106339
Jackson, WY 83002

MTC-00015371

From: crushing
To: Microsoft ATR
Date: 1/23/02 9:01am
Subject: Microsoft Settlement

I think the Microsoft settlement is a bad idea. I stand as a cosigner of Dan Kegel's comments.

MTC-00015372

From: g botkins
To: Microsoft ATR
Date: 1/23/02 9:01am
Subject: The proposed settlement is bad for America.

The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft.

The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft.

The PFJ Fails to Prohibit Microsoft from merging with a media giant such as ABC.

It is my opinion that Microsoft should be broken up.

MTC-00015373

From: Richard Copeland
To: Microsoft ATR
Date: 1/22/02 9:00am
Subject: Microsoft Settlement

I believe that the proposed settlement is a bad idea. It does not effectively curtail Microsoft's anti-competitive practices and does not penalize Microsoft in any substantive way for their arrogant and unremorseful trampling of anti-trust law.

Thank you,
Richard D. Copeland, Jr.
1803 Riverview Drive
Marietta, GA 30067

MTC-00015374

From: Tony Zahn
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 9:03am
Subject: Microsoft Settlement

The proposed settlement to the Microsoft case, while being aimed in the right direction, is too loose and will allow

Microsoft to proceed without changing their actions very much at all. The company has proven time and again that they have no qualms with using every tactic available to them to put competitors out of business, thus furthering their monopoly and preventing the innovations that new companies would bring.

MTC-00015375

From: Justin Hall
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 9:01am
Subject: Microsoft Settlement

I'd like to add my comments about the proposed settlement in the Microsoft antitrust case.

It doesn't seem to me that the proposed remedy does anything about Microsoft taking retaliatory action against OEM's—on the contrary, it seems that it encourages it. In Section III.A.2, Microsoft is allowed to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system. Section III.B. requires Microsoft to license Windows on uniform terms and at published prices to some of the larger OEM's but doesn't do anything to prevent them from taking retaliatory measures against smaller ones. The retaliatory measures are what kept OEM's from being able to place other programs along with Microsoft's on their machines in the first place, and if Microsoft is permitted to continue in these practices, they are still leveraging their monopoly power in a destructive way.

Please reconsider the Proposed Final Judgement. It doesn't do everything that it could and leaves the potential for harm a possibility.

Regards,
Justin Hall
Systems/Network Administrator
Sant Corporation—The Proposal Experts
Office: 513.631.1155 x 250
Mobile: 513.252.6011

MTC-00015376

From: Ward Gerlach
To: Microsoft ATR
Date: 1/23/02 9:02am
Subject: Microsoft Settlement

The proposed settlement IS NOT a good one, and is NOT in the interests of the United States.

Ward Gerlach

MTC-00015379

From: Thomas.Lageson@deluxe.com@inetgw
To: Microsoft ATR
Date: 1/23/02 9:02am
Subject: Microsoft Settlement

The proposed antitrust settlement with Microsoft is a bad idea.

Tom Lageson
1740 North Pascal Street
Falcon Heights, MN 55113
651-647-9057

MTC-00015380

From: Chris Bailey-Kellogg
To: Microsoft ATR
Date: 1/23/02 9:02am
Subject: Microsoft settlement
Greetings:

I am writing to voice my opposition to the proposed Microsoft settlement. This is clearly a bad settlement from the customer's point of view, as it does practically nothing to remedy the anti-competitive behavior that Microsoft has been found to practice (and, in a show of utter contempt, is continuing to practice even now with "features" in XP and so forth). There are already available some well-written analyses of the defects in the settlement (e.g. see <http://www.kegel.com/remedy/>), from a wide variety of viewpoints. I will not repeat them here, but instead request that you add my voice to this crowd of consumers asking our government to stand up for us rather than for monopolistic practices.

Sincerely,
Chris Bailey-Kellogg
Assistant Professor, Dept. of Computer Sciences, Purdue University
West Lafayette, IN

MTC-00015381

From: Chad Rytting
To: Microsoft ATR
Date: 1/23/02 9:01am
Subject: Microsoft Settlement

To whom it may concern,

In regards to the Microsoft settlement, I feel I must disagree with this settlement altogether. I don't think that anything less than a break-up of this company will alleviate the problems that it has created, and begin to restore faith in the market that it can indeed be a competitive arena. In my experience, and through my readings, when Microsoft decides they want to dominate an area, they use business practices that are by definition unfair by setting the prices of their products so low that other companies who cannot rely on sales of other products to make up differences simply can't compete. When this same thing happened with many similar companies, they went through break-ups (Standard Oil, AT&T, etc.). I would politely ask that you consider this solution for Microsoft, or at least that you would make them release the code of their systems to other companies to bid on.

Microsoft uses unfair tactics in their programming, as well. It would seem to me that you would find it of utmost interest if an oil company were to sell gasoline of an extremely low grade to certain stores, while selling the most premium grade gasoline to their own stores. This is how Microsoft programs their system. They document certain things about it, but when it comes to fine tuning an application, they don't give enough information on the internals of the OS to allow those who would write an application to make it run efficiently. This way, when Microsoft decides to attempt to dominate this market, they can write a sleeker, faster, finer tuned application and claim to be the better company for it. When all along, this was their plan.

In summary, I would ask that you consider dividing Microsoft or some other means of making the company compete on a more fair level. If you do not place these type of sanctions on Microsoft, they will continue (as they currently are) their unfair business practices. During this whole case, Microsoft has released numerous new operating

systems, office products, a gaming console, and more. Their latest version of windows (XP) is just another area where Microsoft is using its muscle to overturn more markets (CD writing built into the OS, MS Messenger installed by default, reminds you constantly to sign up for their "passport" program on the web which competes with other programs that do similar things on the Internet).

Thank you for your time,
Chad Rytting

MTC-00015382

From: Eric J. Smith
To: Microsoft ATR
Date: 1/23/02 8:42am
Subject: Microsoft Settlement

The proposed settlement does nothing to stifle microsoft's monopoly powers. The proposed settlement is unacceptable.

MTC-00015383

From: Jason M Dunn
To: Microsoft ATR
Date: 1/23/02 9:03am
Subject: Microsoft Settlement

To whom it may concern,

I do not agree with the MicroSoft (hereafter MS) settlement as it stands. I have two changes that should be added.

1.) MS must open their file formats. Competitors must have access to what have become the de facto data storage formats for word processing, spreadsheets, and databases. In the current business environment, the MS file formats are ubiquitous, and therefore new businesses and businesses buying new software are forced to use MS software to be able to have meaningful, efficient communication with vendors, contractors, suppliers, etc.

2.) The business strategy known as "embrace and extend"—whereby MS uses a standardized, "open" file format and then slowly uses its market share to leverage a change to a similar but incompatible, proprietary file format—must be stopped.

J.M. Dunn

MTC-00015384

From: Paul Lussier
To: Microsoft ATR
Date: 1/23/02 9:03am
Subject: Microsoft Settlement

To whom it may concern,

I am writing, under provision of the Tunney Act, to voice my objection to the currently Proposed Final Judgement against Microsoft. Because of the many inherent flaws in the current PFJ, this settlement is tantamount to allowing this company (Microsoft) walk away from a finding of fact that they are in violation of the Sherman Antitrust Act with less than the figurative "slap on the wrist".

The current settlement makes absolutely no provision for enforcement or technical review. It leaves enforcement upto the legal system, which is quite ill-prepared to deal with such technical situations. Additionally, though the PFJ requires increased disclosure of technical information, there is no provision for advance notice of these technical requirements. As a result, things like API documentation can be released too late to help an ISV. Also, because of the narrow definitions of "Middleware" and

"API", Section IIID's requirement to release this information about Windows interfaces excludes many important interfaces required for seamless integration of ISV products into the Windows Operating Environment. Another major problem is that there is nothing in the PFJ which requires documentation of file formats. This one area is one in which Microsoft has used to their advantage time and again to lock out the competition. Each version of Microsoft Word (not to mention every other Microsoft Office Application) has has a different file format than the previous versions, all incompatible with each other. This has the effect of forcing individuals and companies to upgrade a major part of their infrastructure just so they read documents sent to them. It becomes a vicious circle which repeats itself each time there is a new release of MS Office.

These are but only a few of the flaws with the current settlement proposal. There are many, many more (see <http://www.kegel.com/remedy/remedy2.html>) In conclusion, I request that this Proposal for Final Judgement be rejected and another, better proposal be drafted with the aid of technically proficient members from the software industry.

Thank you for your time and consideration in this matter.

Sincerely,
Paul Lussier
226 Page Street,
Lunenburg, MA, 01462

MTC-00015385

From: David F. Williams
To: Microsoft ATR
Date: 1/23/02 9:03am
Subject: Microsoft Settlement

As a U.S citizen I am writing under the provisions of the Tunney Act to register my opinion on the proposed settlement between Microsoft and the US Department of Justice. I do not believe that the proposed settlement is an effective remedy for Microsoft's anti-competitive behavior. It does not address the harm done to competitors or consumers and allows Microsoft to benefit from its anti-competitive behavior.

Sincerely,
David F. Williams
1824 W Easton Ct
Tulsa, OK 74127

MTC-00015386

From: Matt Homan
To: Microsoft ATR
Date: 1/23/02 9:03am
Subject: Microsoft Settlement

I am submitting my personal comment regarding the Microsoft settlement. As a common computer user and as a common American citizen my strongest feeling regarding the settlement is pointed at the monopoly factor. If a competitive market can't be up held here in the United States, then where? If this is what we stand for then why, in a most visible display, are we strangling our growth in technologies? It is in these points that we fail, fall behind, and shoot ourselves in the foot? Competition creates better product and technology. Microsoft's product line is an example of how a none competitive arena create

mediocrity. Stricter guidelines and punishment should be assessed to reflect the business it is changing. Not enough is being done to open the arena of a competitive market.

God Bless America.

MTC-00015387

From: max@wt6.usdoj.gov@inetgw
To: Microsoft ATR
Date: 1/23/02 9:04am
Subject: Microsoft Settlement

In my opinion, the proposed settlement fails to remedy past abuses of Microsoft's monopoly power, fails to prevent future abuses, and fails to produce a more free market. Stronger measures are required to accomplish these goals.

Mark Maxwell
Cambridge, MA

MTC-00015388

From: Michael J. Sherman
To: Microsoft ATR
Date: 1/23/02 9:12am
Subject: Microsoft Settlement

To whom it may concern;

I have reviewed the proposed settlement, and I find it completely unacceptable.

As a professional computer scientist, I work with software every day. I have seen first-hand the damage Microsoft has had on computing technology. They may say that all they want is the "freedom to innovate", but what they really mean is the "freedom to innovate new ways to making money".

Computing technology would be leaps ahead right now if it weren't for the illegal practices of Microsoft. Any settlement MUST allow true competition, where Microsoft can be relegated to a 40% market share or so. Dependence on Microsoft is bad for many reasons. One, their security is fundamentally flawed in their OS (I have done extensive research). Two, our business economy would crash if Microsoft were to go out of business (over-dependence). Three, their products are just plain inferior and put all software in a bad light (users "expect" programs to crash now!). Please, remedy the situation in a sane manner. Of all the times the government should do something FOR THE PEOPLE, this is it. Do not give in to the Microsoft lobby and believe their lies!

Sincerely,
Michael J. Sherman
Computer Scientist
Sterling, VA

MTC-00015389

From: Brad Smith
To: Microsoft ATR
Date: 1/23/02 9:04am
Subject: Microsoft Settlement

My name is: Brad Smith 1031 W Second Ave Columbus, OH

For reasons extensive and significant, I think the settlement is a poor idea. Chiefly, I strongly believe that MS has been the principle force behind stunting of innovation and competition for the past 15+ years. Not only does the current settlement not recognize that, but places them in a position to extend this reign.

Please side against the settlement.
Brad Smith

MTC-00015390

From: Philip E. Jurgenson
 To: Microsoft ATR
 Date: 1/23/02 9:03am
 Subject: Microsoft Settlement

Sirs,

The proposed judgment against Microsoft totally fails to address their known anti-competitive behavior, and actually helps them extend their monopoly. It ignores the issue of Microsoft's ever-changing (undocumented) file formats, which force end users into an eternal upgrade cycle. This upgrade cycle demonstrably harms consumers! Since Microsoft has been found to have used their monopoly in personal computer operating systems in an abusive manner in a court of law, it would seem that some actual punitive action should be taken. The proposed judgment allows so many loopholes that there is no actual punishment involved! Please, please reconsider your actions!

Sincerely,
 Philip E. Jurgenson

MTC-00015391

From: Scott Starkey
 To: Microsoft ATR
 Date: 1/23/02 9:02am
 Subject: Microsoft Settlement

To whom it may concern:

Respectfully, I am against the proposed Microsoft settlement, and have several problems with it. My foremost reason is, Microsoft has proven itself time and time again to be an abusive monopoly, doing almost anything to stifle competition and promote their own products. I have a problem with the fact that Microsoft enters into liscensing agreements with all of the big computer makers (Compaq, Dell, Gateway) so that the maker cannot sell a computer without also selling a copy of Windows. If I want RedHat Linux on a computer from Dell, they would be forced to also sell me a copy of Windows, even if I don't want it. Because of their strict license, I would not be able to resell this unused copy of Windows. Most of the viruses that you hear about on the news today are as a direct result of security flaws from Microsoft products. Microsoft has consistently tried to hide security information from its users until it can fix its mistakes, but the cover-up almost never works. Hackers will find the security flaws first, and exploit them before the public knows about them. Unfortunately, Microsoft treats security flaws like PR problems. This is dangerous when the general public has little choice but to buy a Microsoft product, so the security flaws are just as ubiquitous. Microsoft often uses its propaganda machine to defame other operating systems. Their leadership has spoken freely against Linux and free software, calling it "viral software" and telling half-truths against it. Microsoft staff members have been found to doctor on-line polls to improve Microsoft's image. Microsoft manufactures "grass-roots campaigns" to support their image. I can imagine the Microsoft PR-machine is flooding you right now with "The settlement is okay." messages. I write you this message with the sincere hope that my letter will cancel out one of those bogus messages.

Thank you for the opportunity to allow me to state my opinion.

Scott Starkey
 Computer Support
 Purdue University

MTC-00015392

From: Conrad W. Clark
 To: Microsoft ATR
 Date: 1/23/02 1:02am
 Subject: Microsoft Settlement

The proposed settlement is bad and inadequate in that it will not prevent Certain Practices Toward End Users and Toward Independent Software Vendors which will be greatly harmful to end users, ISVs and competition in general. I refer specifically to the capability to restrain Microsoft's typical business practices, which if not impeded, will allow the .net and Passport initiatives to become a Microsoft monopoly in the area of electronic commerce and customer identification and authentication.

MTC-00015393

From: Matt Hucke
 To: Microsoft ATR
 Date: 1/23/02 9:03am
 Subject: Microsoft Settlement

I oppose the self-serving "settlement" proposed by Microsoft. It is absurd to think that they can buy their way out of having to take responsibility for their unethical and illegal actions.

MTC-00015394

From: Joe Vandevander
 To: Microsoft ATR
 Date: 1/23/02 9:03am
 Subject: Microsoft Settlement

Please, Don't settle with these jokers. They're making a mockery of the justice system and making fools of the government. Anyone with eyes can see what they've been doing for years is plainly wrong—punish them for it. Don't let political expediency get in the way of what is better for the country in the long haul.

Joe Vandevander
 1103-2c Crab Orchard St.
 Raleigh, NC 27606

MTC-00015395

From: Don Evans
 To: Microsoft ATR
 Date: 1/23/02 9:05am
 Subject: Microsoft Settlement

As a US citizen I find the proposed government settlement with Microsoft a complete shame. Microsoft has stifled innovation in the computer industry and should be severely punished and restricted from ever doing so again. Competitors that have been damaged by Microsoft's anticompetitive behaviour should be justly compensated by Microsoft.

Do the right thing.
 Don Evans
 North Andover, MA

MTC-00015396

From: Steve Linberg
 To: Microsoft ATR
 Date: 1/23/02 9:04am
 Subject: Microsoft Settlement

Dear Sirs,

I am writing to state my concerns about the proposed settlement, which I believe are insufficient to curb Microsoft's long history of anticompetitive practice and behavior. The findings of fact confirmed Microsoft's monopoly status—findings of extraordinary gravity whose remedial consequences should carry equal weight. The proposed settlement allows far too many loopholes and ways for Microsoft to avoid its full impact, and continue to create its own self-serving definitions for how it should apply (for example, deciding for itself which Windows APIs to open rather than being compelled to open them all). It also allows Microsoft to continue many anticompetitive practices it has employed for years (like retaliating against OEMs shipping a PC with an OS other than Windows); it also appears to lack any real teeth for enforcement, providing only for investigative capacity of a "Technical Committee", but leaving all enforcement to the legal system, where Microsoft has the money and time to stonewall, delay, and avoid justice, which they have already shown their propensity for. If Microsoft in its present 95% market share collapsed like Enron, imagine the catastrophic damage to the US and world economies. Microsoft's anticompetitive practices and monopolistic behavior have illegally crushed competition and stifled innovation, the lifeblood of the American economy. Small businesses (and even large ones) must be given a chance to compete on a level playing field. Microsoft must be stripped of the advantages it gained through its monopolistic practices, and quickly. I believe that the proposed settlement does not go nearly far enough to ensure that this will happen.

Steve Linberg
 Programmer and owner
 Silicon Goblin Technologies
 Steve Linberg, Chief Goblin
 Be kind. Remember, everyone you meet is fighting a hard battle.

MTC-00015397

From: Chuck Nixon
 To: Microsoft ATR
 Date: 1/23/02 9:05am
 Subject: Microsoft Settlement

Dear Sirs:

I am writing to give my comments on the Microsoft antitrust settlement. I believe this settlement is counter to the interests of the American public, deleterious to the American economy, and not adequate given the findings of fact in the trial. Microsoft's anti-competitive practices are counter to the law and spirit of our free-enterprise system.

These practices inhibit competition, reduce innovation, and thereby decrease employment and productivity in our nation. Microsoft's monopolistic practices cause the public to bear increased costs and deny them the products of the innovation which would otherwise be stimulated through competition. The finding of fact which confirmed that Microsoft is a monopoly requires strict measures which address not only the practices they have engaged in in the past, but which also prevent them from engaging in other monopolistic practices in the future. It is my belief that a very strong set of

strictures must be placed on convicted monopolists to insure that they are unable to continue their illegal activities. I do not think that the proposed settlement is strong enough to serve this function.

Sincerely,
Chuck Nixon

MTC-00015398

From: Lalitree Laura Darnielle
To: Microsoft ATR
Date: 1/23/02 9:05am
Subject: Microsoft Settlement

The proposed settlement is a bad idea. Microsoft's practices have resulted in them flooding the market with inferior, buggy products. They have squeezed out competition, and have cut off the air to smaller companies or those with less of a stranglehold on the desktop. This has effectively forced consumers to settle for Microsoft products. Don't let them get away with it. Don't settle for their horrible business practices. Don't settle.

Lalitree Darnielle
1212 Scott Avenue
Ames, IA 50014

MTC-00015399

From: Paul S. Coan
To: microsoft.atr(a)usdoj.gov
Date: 1/23/02 9:06am
Subject: Microsoft Settlement

Dear Sir or Madam,
I am concerned that the current proposed settlement agreement in the antitrust case against Microsoft is insufficient. The "penalties" to be levied seem quite out of scale with the proved misconduct. Also, the proposed settlement does little to prevent the same sort of activities from occurring again. In particular there seems to be little openness in the code review process, where all data is kept secret.

All in all the settlement seems to indicate that many people will have little choice but to buy software only from one source and at inflated prices.

Paul S. Coan
Assistant Professor of Chemistry
Ball State University
Muncie, IN
Phone: (765) 285-2196

MTC-00015400

From: NWA
To: Microsoft ATR
Date: 1/23/02 9:06am
Subject: Microsoft Settlement

The current Microsoft settlement is simply a bad idea and is against the interest of the citizens of this nation and opposed to the very core national interests and laws.

Please do not forget the individuals in making this settlement. While big business deserves to be protected from the unlawful practices of Microsoft so to do the individual non-profit opensource developers of whom this settlement does not protect.

Please do your part in defense of the United States in upholding and enforcing the laws of this nation to provide a fair and just free market.

MTC-00015401

From: kelvin katsumi kang kakugawa
To: Microsoft ATR

Date: 1/23/02 9:06am
Subject: Microsoft Settlement

I think that the proposed settlement is a bad idea.

-Kelvin

MTC-00015402

From: Will Wainwright
To: Microsoft ATR
Date: 1/23/02 9:05am
Subject: Microsoft Settlement

I think the proposed settlement is a bad idea.

Please don't settle on this yet!

Thank you,

Will Wainwright

MTC-00015403

From: Erik Strom
To: Microsoft ATR
Date: 1/23/02 9:04am
Subject: Microsoft Settlement

I agree with the letter bellow from Ralph Nader dated November 5, 2001 about 'RE: US v. Microsoft proposed final order'.

Microsoft continues to destroy any innovation in the computer industry. They have used their monopoly power to destroy company after company. The current ruling will do nothing to stop or slow them down, they have proven this in the past with similar rulings.

Microsoft needs to be broken up into at least 3 companies.

Erik Strom
My view does not refelect the company CMS Inc.

Ralph Nader
P.O. Box 19312
Washington, DC 20036
James Love
Consumer Project on Technology
P.O. Box 19367
Washington, DC 20036
November 5, 2001
Judge Colleen Kollar-Kotelly
United States District Court for the District of Columbia
333 Constitution Avenue, NW
Washington DC 20001
RE: US v. Microsoft proposed final order
Dear Judge Kollar-Kotelly,

Introduction

Having examined the proposed consent final judgment for USA versus Microsoft, we offer the following initial comments. We note at the outset that the decision to push for a rapid negotiation appears to have placed the Department of Justice at a disadvantage, given Microsoft's apparently willingness to let this matter drag on for years, through different USDOJ antitrust chiefs, Presidents and judges. The proposal is obviously limited in terms of effectiveness by the desire to obtain a final order that is agreeable to Microsoft.

We are disappointed of course that the court has moved away from a structural remedy, which we believe would require less dependence upon future enforcement efforts and good faith by Microsoft, and which would jump start a more competitive market for applications. Within the limits of a conduct-only remedy, we make the following observations.

On the positive side, we find the proposed final order addresses important areas where Microsoft has abused its monopoly power, particularly in terms of its OEM licensing practices and on the issue of using interoperability as a weapon against consumers of non-Microsoft products. There are, however, important areas where the interoperability remedies should be stronger. For example, there is a need to have broader disclosure of file formats for popular office productivity and multimedia applications. Moreover, where Microsoft appears to be given broad discretion to deploy intellectual property claims to avoid opening up its monopoly operating system where it will be needed the most, in terms of new interfaces and technologies. Moreover, the agreement appears to give Microsoft too many opportunities to undermine the free software movement. We also find the agreement wanting in several other areas. It is astonishing that the agreement fails to provide any penalty for Microsoft's past misdeeds, creating both the sense that Microsoft is escaping punishment because of its extraordinary political and economic power, and undermining the value of antitrust penalties as a deterrent. Second, the agreement does not adequately address the concerns about Microsoft's failure to abide by the spirit or the letter of previous agreements, offering a weak oversight regime that suffers in several specific areas. Indeed, the proposed alternative dispute resolution for compliance with the agreement embraces many of the worst features of such systems, operating in secrecy, lacking independence, and open to undue influence from Microsoft.

OEM Licensing Remedies

We were pleased that the proposed final order provides for non-discriminatory licensing of Windows to OEMs, and that these remedies include multiple boot PCs, substitution of non-Microsoft middleware, changes in the management of visible icons and other issues. These remedies would have been more effective if they would have been extended to Microsoft Office, the other key component of Microsoft's monopoly power in the PC client software market, and if they permitted the removal of Microsoft products. But nonetheless, they are pro-competitive, and do represent real benefits to consumers.

Interoperability Remedies

Microsoft regularly punishes consumers who buy non-Microsoft products, or who fail to upgrade and repurchase newer versions of Microsoft products, by designing Microsoft Windows or Office products to be incompatible or non-interoperable with competitor software, or even older versions of its own software. It is therefore good that the proposed final order would require Microsoft to address a wide range of interoperability remedies, including for example the disclosures of APIs for Windows and Microsoft middleware products, non-discriminatory access to communications protocols used for services, and nondiscriminatory licensing of certain intellectual property rights for Microsoft middleware products. There are, however, many areas where these remedies may be limited by Microsoft, and as is indicated by

the record in this case, Microsoft can and does take advantage of any loopholes in contracts to create barriers to competition and enhance and extend its monopoly power.

Special Concerns for Free Software Movement

The provisions in J.1 and J.2. appear to give Microsoft too much flexibility in withholding information on security grounds, and to provide Microsoft with the power to set unrealistic burdens on a rival's legitimate rights to obtain interoperability data. More generally, the provisions in D. regarding the sharing of technical information permit Microsoft to choose secrecy and limited disclosures over more openness. In particular, these clauses and others in the agreement do not reflect an appreciation for the importance of new software development models, including those "open source" or "free" software development models which are now widely recognized as providing an important safeguard against Microsoft monopoly power, and upon which the Internet depends.

The overall acceptance of Microsoft's limits on the sharing of technical information to the broader public is an important and in our view core flaw in the proposed agreement. The agreement should require that this information be as freely available as possible, with a high burden on Microsoft to justify secrecy. Indeed, there is ample evidence that Microsoft is focused on strategies to cripple the free software movement, which it publicly considers an important competitive threat. This is particularly true for software developed under the GNU Public License (GPL), which is used in GNU/Linux, the most important rival to Microsoft in the server market. Consider, for example, comments earlier this year by Microsoft executive Jim Allchin: <http://news.cnet.com/news/0-1003-200-4833927.html> "Microsoft exec calls open source a threat to innovation," Bloomberg News, February 15, 2001, 11:00 a.m. PT One of Microsoft's high-level executives says that freely distributed software code such as Linux could stifle innovation and that legislators need to understand the threat. The result will be the demise of both intellectual property rights and the incentive to spend on research and development, Microsoft Windows operating-system chief Jim Allchin said this week.

Microsoft has told U.S. lawmakers of its concern while discussing protection of intellectual property rights "Open source is an intellectual-property destroyer," Allchin said. "I can't imagine something that could be worse than this for the software business and the intellectual-property business." In a June 1, 2001 interview with the Chicago Sun Times, Microsoft CEO Steve Ballmer again complained about the GNU/Linux business model, saying "Linux is a cancer that attaches itself in an intellectual property sense to everything it touches. That's the way that the license works," 1 leading to a round of new stories, including for example this account in CNET.Com: <http://www.suntimes.com/output/tech/cst-fin-micro01.html> "Microsoft CEO takes launch break with the Sun-Times," Chicago Sun Times, June 1, 2001. <http://news.cnet.com/>

news/0-1003-200-6291224.html "Why Microsoft is wary of open source: Joe Wilcox and Stephen Shankland in CNET.com, June 18, 2001.

There's more to Microsoft's recent attacks on the open-source movement than mere rhetoric: Linux's popularity could hinder the software giant in its quest to gain control of a server market that's crucial to its long-term goals. Recent public statements by Microsoft executives have cast Linux and the open-source philosophy that underlies it as, at the minimum, bad for competition, and, at worst, a "cancer" to everything it touches. Behind the war of words, analysts say, is evidence that Microsoft is increasingly concerned about Linux and its growing popularity. The Unix-like operating system "has clearly emerged as the spoiler that will prevent Microsoft from achieving a dominant position" in the worldwide server operating-system market, IDC analyst A1 Gillen concludes in a forthcoming report.

... While Linux hasn't displaced Windows, it has made serious inroads. ...]. In attacking Linux and open source, Microsoft finds itself competing "not against another company, but against a grassroots movement," said Paul Dain, director of application development at Emeryville, Calif.-based Wirestone, a technology services company.

... Microsoft has also criticized the General Public License (GPL) that governs the heart of Linux. Under this license, changes to the Linux core, or kernel, must also be governed by the GPL. The license means that if a company changes the kernel, it must publish the changes and can't keep them proprietary if it plans to distribute the code externally. Microsoft's open-source attacks come at a time when the company has been putting the pricing squeeze on customers. In early May, Microsoft revamped software licensing, raising upgrades between 33 percent and 107 percent, according to Gartner. A large percentage of Microsoft business customers could in fact be compelled to upgrade to Office XP before Oct. 1 or pay a heftier purchase price later on.

The action "will encourage—'force' may be a more accurate term—customers to upgrade much sooner than they had otherwise planned," Gillen noted in the IDC report. "Once the honeymoon period runs out in October 2001, the only way to 'upgrade' from a product that is not considered to be current technology is to buy a brand-new full license."

This could make open-source Linux's GPL more attractive to some customers feeling trapped by the price hike, Gillen said. "Offering this form of 'upgrade protection' may motivate some users to seriously consider alternatives to Microsoft technology." What is surprising is that the US Department of Justice allowed Microsoft to place so many provisions in the agreement that can be used to undermine the free software movement. Note for example that under J.1 and J.2 of the proposed final order, Microsoft can withhold technical information from third parties on the grounds that Microsoft does not certify the "authenticity and viability of its business," while at the

same time it is describing the licensing system for Linux as a "cancer" that threatens the demise of both the intellectual property rights system and the future of research and development.

The agreement provides Microsoft with a rich set of strategies to undermine the development of free software, which depends upon the free sharing of technical information with the general public, taking advantage of the collective intelligence of users of software, who share ideas on improvements in the code. If Microsoft can tightly control access to technical information under a court approved plan, or charge fees, and use its monopoly power over the client space to migrate users to proprietary interfaces, it will harm the development of key alternatives, and lead to a less contestable and less competitive platform, with more consumer lock-in, and more consumer harm, as Microsoft continues to hike up its prices for its monopoly products. Problems with the term and the enforcement mechanism

Another core concern with the proposed final order concerns the term of the agreement and the enforcement mechanisms. We believe a five-to-seven year term is artificially brief, considering that this case has already been litigated in one form or another since 1994, and the fact that Microsoft's dominance in the client OS market is stronger today than it has ever been, and it has yet to face a significant competitive threat in the client OS market. An artificial end will give Microsoft yet another incentive to delay, meeting each new problem with an endless round of evasions and creative methods of circumventing the pro-competitive aspects of the agreement. Only if Microsoft believes it will have to come to terms with its obligations will it modify its strategy of anticompetitive abuses.

Even within the brief period of the term of the agreement, Microsoft has too much room to co-opt the enforcement effort. Microsoft, despite having been found to be a law breaker by the courts, is given the right to select one member of the three members of the Technical Committee, who in turn gets a voice in selecting the third member. The committee is gagged, and sworn to secrecy, denying the public any information on Microsoft's compliance with the agreement, and will be paid by Microsoft, working inside Microsoft's headquarters. The public won't know if this committee spends its time playing golf with Microsoft executives, or investigating Microsoft's anticompetitive activities. Its ability to interview Microsoft employees will be extremely limited by the provisions that give Microsoft the opportunity to insist on having its lawyers present. One would be hard pressed to imagine an enforcement mechanism that would do less to make Microsoft accountable, which is probably why Microsoft has accepted its terms of reference. In its 1984 agreement with the European Commission, IBM was required to affirmatively resolve compatibility issues raised by its competitors, and the EC staff had annual meetings with IBM to review its progress in resolve disputes. The EC reserved the right to revisit its enforcement action on IBM if it was not satisfied with IBM's conduct.

The court could require that the Department of Justice itself or some truly independent parties appoint the members of the TC, and give the TC real investigative powers, take them off Microsoft's payroll, and give them staff and the authority to inform the public of progress in resolving compliance problems, including for example an annual report that could include information on past complaints, as well as suggestions for modifications of the order that may be warranted by Microsoft's conduct. The TC could be given real enforcement powers, such as the power to levy fines on Microsoft. The level of fines that would serve as a deterrent for cash rich Microsoft would be difficult to fathom, but one might make these fines deter more by directing the money to be paid into trust funds that would fund the development of free software, an endeavor that Microsoft has indicated it strongly opposes as a threat to its own monopoly. This would give Microsoft a much greater incentive to abide by the agreement.

Failure to Address Ill Gotten Gains

Completely missing from the proposed final order is anything that would make Microsoft pay for its past misdeeds, and this is an omission that must be remedied. Microsoft is hardly a first time offender, and has never shown remorse for its conduct, choosing instead to repeatedly attack the motives and character of officers of the government and members of the judiciary. Microsoft has profited richly from the maintenance of its monopoly. On September 30, 2001, Microsoft reported cash and short-term investments of \$36.2 billion, up from \$31.6 billion the previous quarter—an accumulation of more than \$1.5 billion per month. It is astounding that Microsoft would face only a "sin no more" edict from a court, after its long and tortured history of evasion of antitrust enforcement and its extraordinary embrace of anticompetitive practices—practices recognized as illegal by all members of the DC Circuit court. The court has a wide range of options that would address the most egregious of Microsoft's past misdeeds. For example, even if the court decided to forgo the break-up of the Windows and Office parts of the company, it could require more targeted divestitures, such as divestitures of its browser technology and media player technologies, denying Microsoft the fruits of its illegal conduct, and it could require affirmative support for rival middleware products that it illegally acted to sabotage. Instead the proposed order permits Microsoft to consolidate the benefits from past misdeeds, while preparing for a weak oversight body tasked with monitoring future misdeeds only. What kind of a signal does this send to the public and to other large corporate law breakers? That economic crimes pay! Please consider these and other criticisms of the settlement proposal, and avoid if possible yet another weak ending to a Microsoft antitrust case. Better to send this unchastened monopoly juggernaut a sterner message.

Sincerely,
Ralph Nader
James Love

MTC-00015404

From: Bill Soul
To: Microsoft ATR
Date: 1/23/02 9:04am
Subject: Microsoft Settlement

The proposed Microsoft Settlement is not a good idea. It is important that Microsoft is forced to make the Windows API available and standardized. It would promote fair competition which is what antitrust laws are supposed to protect.

William Soul
A Concerned US Citizen

MTC-00015405

From: Thomas Williamson
To: Microsoft ATR
Date: 1/23/02 9:14am
Subject: Microsoft Settlement

I believe that this settlement is a bad idea. It seems to me that that this type of remedy falls extremely short for a company that is a known multiple offender and in a prior settlement has been less than compliant. It is overly broad in its language thus leaving much leeway where by Microsoft could obey the letter of the settlement, but blatantly defy the spirit of it. I find this especially dangerous when the resources of Microsoft are considered, and their willingness to skirt the law (as was demonstrated in their last settlement). Additionally I find it disturbing that the settlement differs in many of its definitions from the finding of facts. Overall I find this settlement lacking in its ability to protect the interests of the public. It would be a mistake of the most grievous nature for the Justice Department to accept this agreement.

Sincerely,
Thomas Hall Williamson Jr.
11 South Eutaw St. #1404
Baltimore, MD 21201

MTC-00015406

From: Jason Freeland
To: Microsoft ATR
Date: 1/23/02 9:05am
Subject: Microsoft Settlement

Sirs,

I am of the opinion, that the settlement as written, is unacceptable. It does not go far enough to curtail the anticompetitive practices that Microsoft engages in. A better solution must be found.

Sincerely,
Jason Freeland

MTC-00015407

From: Dieter Bohn
To: Microsoft ATR
Date: 1/23/02 9:05am
Subject: Microsoft Settlement: Reject it.

To Whom It May concern

I oppose the proposed settlement between Microsoft and the Dept. of Justice. As it currently stands, the settlement lacks sufficient penalties for Microsoft's actions. More importantly, the settlement does not provide for any meaningful rectification of the present situation. In fact, in my opinion, it serves only to solidify Microsoft's dominance of the consumer market and to limit growth, innovation, ease of use, progress, and a host of other benefits to the industry. I am an average computer user. My learning curve with regards to computers has

been severely hampered by Microsoft's poor software and poor support. This in itself is not a crime. What is a crime is that I have been hampered significantly in my efforts to find alternatives to the Microsoft OS, browser, office suite, etc. Microsoft has used its monopolistic hold on the OS market to take over other markets. It is once again attempting to do this now with XP, and is publicly planning to again with .Net. Only a settlement that punishes Microsoft for its past actions and seeks to seriously rectify the damage that has been done to the market is acceptable. As it stands, it is nothing more than a slap on the wrist, nay, a pat on the back.

Please reject the proposed settlement.

Sincerely,
Dietrich Bohn
3916 Grand Ave S #3
Minneapolis, MN 55409

MTC-00015408

From: Brian Martin
To: Microsoft ATR
Date: 1/23/02 9:05am
Subject: Microsoft Settlement

The proposed settlement with Microsoft corporation is far too narrow in scope to be effected. The settlement should be revised.

MTC-00015409

From: mmp@panzanella.net@inetgw
To: Microsoft ATR
Date: 1/23/02 9:07am
Subject: Microsoft Settlement

To the Department of Justice:

I would just like to say that I have read the proposed settlement, and I am not in favor of it in its current state.

The current settlement is riddled with loopholes that Microsoft can exploit and continue practices that prompted the antitrust case in the first place. For a technical analysis of the proposed settlement please visit the following web site: <http://www.kegel.com/remedy/remedy2.html> It was not written by me but represents my views against the proposed settlement. Do not allow Microsoft to hide behind clauses that would protect their API's from full disclosure. One example: security. True security relies on keys and not the algorithm. Encryption algorithms of today are all publicly known. What makes them secure are the secret key combinations that are used by the end user. Open source software by nature publishes the code/API's used in the software security. Yet they are secure because the secret key combinations are what really keeps data secure.

This example merely shows that there is no excuse for some of the clauses that prevent Microsoft from distributing all of their API's. I would like to bring up the issue of file formats. The antitrust case only dealt with the Windows operating system. I would like you to consider that the MS Office document format also enjoys a form of monopoly status. As a computer consultant I believe that Linux is almost capable to replace MS Windows as a desktop operating system. The "almost" is due to the poor ability to interact with other businesses/individuals that use MS Word and other Office document formats. There is no application outside of MS Word that can

read/write MS Word documents as good as MS Word does. When one uses competing software such as WordPerfect, StarOffice, OpenOffice, ClarisWorks, etc. to open and save Word files the document layout will always be different from what was used in MS Word. The same is true for the other Office products (Excel, Access, PowerPoint). If the MS Office file formats were to be completely made public then software developers would be able to write software that can correctly read and write documents created by people using MS Office products. I have been reluctant to replace Windows with Linux on the dozen computers currently being used in a Christian private K-12 school. Although this school has about 120 students, it struggles financially. Having to buy Windows and Office licenses for each new computer is expensive. I would love to switch to the Linux operating system and use StarOffice for word/spreadsheet/presentations documents. However, if I switched presently I would be bombarded by support calls from people unable to read/write MS Office documents correctly. Also, many individuals ask me for recommendations on the purchase of computer systems. I cannot presently recommend Linux and a Linux based office suite for the same reason.

Finally, Microsoft has been found guilty of a crime. It has been upheld in a Court of Appeals. All the current remedies and even the ones I mention above are conduct remedies. Where's the fine? Where's the real punishment Microsoft has destroyed companies and put people out of work. All the proposed conduct remedies are equivalent to a "slap on the wrist". Has Microsoft hurt consumers? Absolutely. The average computer price for a consumer computer system from 1995 to today the price has halved. The reason is due to increased demand and supply. Computer hardware has become a commodity market with many suppliers. However, the price of MS Windows software from 1995 to today has gone up by around 10%. Most of the computer hardware is sold with MS Windows—a monopoly status found in Judge Jackson's Findings of Facts. Why hasn't MS Windows dropped in price as with PC hardware? The answer is simple—no competition. Consumers are being forced to pay a higher price tag for MS Windows because of a lack of competition.

As a voting citizen (Republican) I will not stand by idly and see this case end in a mere "hand slap". You, the DOJ, is supposed to be the public's representative. Every news article I read basically agrees with me and many other computer consultants that the proposed remedy is a joke.

Sincerely,
Marco Panzanella

MTC-00015410

From: Gary Capps
To: Microsoft ATR
Date: 1/23/02 9:05am
Subject: Microsoft Settlement

I am opposed to the currently proposed anti-trust settlement with the Microsoft Corporation because the PFJ contains an overly narrow definition of "Microsoft

Middleware Product" and "API" which means that Section III.D.'s requirement to release information about Windows interfaces would not cover many important interfaces like the Linux SAMBA project. Projects like SAMBA are of critical importance to enable alternative operating systems to survive in a Windows-dominated world.

Gary Capps
505 Parkside Road
Norman, Oklahoma 73072

MTC-00015411

From: Rob Hagopian
To: Microsoft ATR
Date: 1/23/02 9:07am
Subject: Microsoft Settlement

Dear Sir/Madam,
I disagree with the settlement proposed in the Microsoft anti-trust case. I feel that the lack of serious punishment only encourages the company to continue with its anti-competitive behavior. In addition, there is no means of enforcement spelled out, leaving the company free to find new ways to lock out competitors. If the wheels of justice were swift this would not be an issue, but this is generally not the case—Microsoft has been able to continue with its behavior even during the ongoing legal proceedings against it! I hope you reconsider and attempt to strengthen any settlement with the company.

Sincerely,
Rob Hagopian

MTC-00015412

From: Conklin, George (HTSC, IT)
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 9:07 am
Subject: Microsoft Settlement

Dear Sirs,
I believe that the proposed settlement with Microsoft is not sufficient and that stronger terms should be imposed to prevent future abuse and promote a competitive business environment in the software/computing industry.

George Conklin
57 Sunset Terrace
Unionville, CT 06085

MTC-00015413

From: svandahm@bellsouth.net@inetgw
To: Microsoft ATR
Date: 1/23/02 9:08 am
Subject: Microsoft Settlement

To whomever this concerns,
I understand that I have the ability to comment on the proposed settlement between the Justice Department and Microsoft. I have been using computers daily since the mid-eighties, when my father brought home an early portable IBM computer. I hope to earn my livelihood by working in the computing industry. Consequently, this issue is centrally relevant to my life. It is widely believed among those familiar with the case that the proposed settlement is completely inadequate. It will do little to punish Microsoft for its plainly illegal conduct in the past, and virtually nothing whatsoever to prevent future violations of antitrust law. As a consumer, it infuriates me to be forced to pay for increasingly expensive software that diminishes in quality with each release. I

applauded the Clinton administration's investigation of Microsoft. Their case was an effort to protect consumers and promote economic growth by restoring fairness and competition to the computer industry.

Now that the DOJ is under new management, it has essentially abandoned its pursuit of Microsoft, suggesting that the DOJ no longer has any concern for either economic growth or the public good. The United States is a successful nation because its free markets encourage firms to compete for customers by producing high-quality, low-cost goods. This system needs to be protected from monopolists who gain so much power that they can destroy the competitive nature of the markets in which they participate. I urge all parties involved to reconsider the proposed settlement. Microsoft deserves more than a slap on the wrist for its destructive abuse of its monopoly power. More importantly, American consumers need to be protected against future abuses.

Thank you for your time,
Stephen C. VanDahm
Spartanburg, SC.

MTC-00015414

From: Ryan
To: Microsoft ATR
Date: 1/23/02 8:45 am
Subject: Microsoft Settlement

Do not let Microsoft buy this one off. They broke the law and need to be punished for it.

Ryan Flynn

MTC-00015415

From: William Wise
To: Microsoft ATR
Date: 1/23/02 9:08 am
Subject: Microsoft Settlement

If Microsoft has broken the law as the court has found then they should not only be restrained from committing further crimes (a goal that I do not think the proposed settlement will help to achieve to any large extent) but also PUNISHED for the crimes they have already committed (a goal the settlement ignores completely considering the largess Microsoft has amassed as a result of its illegal activities). When an individual is convicted of theft he or she is not simply placed under oversight by a committee and told to do no wrong. They are ordered to pay restitution if applicable and put on probation with possible jail time. I can see no reason why the same logic should not be applied to Microsoft. Perhaps this reflect my naivete but if justice is blind then this seems the only logical recourse. Thank you very much for considering the comments of a legal laymen but computer expert. I make my living using Microsoft products but, as an industry insider, am not at all comfortable with company's illegal behavior. I would love to see Microsoft a competitive good citizen in the IT industry but can't see it happening without Microsoft and its management receiving a cold slap. The settlement, as I see it, is a joke and am afraid that Microsoft will consider it as such.

A settlement that would sting would:

a) Take from Microsoft whatever portion of their cash reserve profits that can be directly

linked to their illegal behavior as well as damages indirectly associated with their market dominance which was gained through "giveaways" that undermined competitors.

b) Put Microsoft on probation under court supervision for 5–10 years. Any infractions would cause a "suspended" sentence applied during the original case to come automatically into effect. (Open Sourcing the MS operating system or breaking up the company should be sufficiently strong)

c) Force Microsoft's top management to leave the company without retaining their stock options.

Thanks so much for your consideration of my comments, William Wise Manager, Information Systems

MTC-00015416

From: Jim Priest
To: Microsoft ATR
Date: 1/23/02 9:08 am
Subject: Microsoft Settlement

I fully support and agree with the thoughts and expressions outlined in the following: <http://www.kegel.com/remedy/letter.html> Something needs to be done about Microsoft's anti-competitive business practices today.

Jim Priest
ClickCulture CTO

MTC-00015417

From: Jed S. Wilson
To: Microsoft ATR
Date: 1/23/02 9:08 am
Subject: Microsoft Settlement
This settlement is a bad idea.
Regards,
Jed Wilson
6609 Rockingham Dr
Fort Wayne, IN 46835

MTC-00015418

From: Stuckey, William E
To: Microsoft ATR
Date: 1/23/02 9:09 am
Subject: Microsoft Settlement
The proposed settlement is a bad idea.
William E. Stuckey
Network & Information System Coordinator
IUPUI School of Liberal Arts
425 University Blvd.
Indianapolis, IN 46202
(317)274-2978

MTC-00015419

From: Mike Hunter
To: Microsoft ATR
Date: 1/23/02 9:09 am
Subject: Microsoft Settlement
Just writing to let you know that I sincerely hope any settlement with MS exerts wide-ranging controls on their ability to stifle competition for a long time, and isn't just the slap-on-the-wrist that is currently being proposed.

Please do as much as possible to stop MS.
Mike

MTC-00015420

From: Leonard Appel
To: Microsoft ATR
Date: 1/23/02 9:08 am
Subject: Microsoft Settlement
Dear Mr. Ashcroft:

I would like to take this time to let you know that I am very glad to hear that a settlement has been reached in the Microsoft antitrust case. The lawsuit was a tremendous waste of time and money and punished Microsoft for being a successful company. The role that Microsoft played is one of creating standards in the Computer industry similar to the role played by IBM and Digital in years past. Technology will eventually be the cause of a Microsoft eclipse not their alleged monopolistic practices.

The proposed settlement is really quite reasonable and it sufficiently addresses Microsoft's problematic issues. I'm convinced they will be changing their business practices, especially yielding to drastic licensing concessions, so that fair competition will be restored in the computer industry. They've given up a great deal in this settlement and I ask that you please do your part to ensure that this settlement is upheld.

Sincerely,
Leonard Appel

MTC-00015421

From: Joseph L Hood
To: Microsoft ATR
Date: 1/23/02 9:16 am
Subject: Microsoft Anti-Trust Case

Dear Sir:

Please revisit your current solution to the Microsoft Anti-Trust, it is not going to help us create better software. One would wonder how Teddy Roosevelt would feel about the your proposed solution.

Sincerely,
Joseph L. Hood

MTC-00015422

From: starcomp
To: Microsoft ATR
Date: 1/23/02 9:09 am
Subject: Microsoft Settlement

The proposed settlement is bad. It does not sufficiently reprimand Microsoft for their decades of commercial abuse. Millions every year are brainwashed into believing that anything stamped with Microsoft is a superior product, when it is known that all competing products were not only copied, but that the originals deserve the business for their innovation. However, forcing Microsoft to release their Windows source code may be the wrong path as well. Quite simply, I hope that Microsoft will be broken up into at least 3 separate companies (Operating Systems, Office, all others), with the addition that none can have any business deals with any of the others for at least 25 years. I feel that this will be sufficient time for the digital economy to recover from Microsoft's tyranny. Thank you for your time, and I hope that our government can be counted upon to carry out this case to a fair and just end.

Loyal Citizen

MTC-00015423

From: Chris Wells
To: Microsoft ATR
Date: 1/23/02 9:09 am
Subject: Microsoft Settlement

The proposed settlement is a BAD idea. Microsoft should be induced to compete in a FAIR and HONEST manner.

MTC-00015424

From: Jared W. Robinson
To: Microsoft ATR
Date: 1/23/02 9:09 am
Subject: Microsoft Settlement

To whom it may concern,

I am disappointed in the Microsoft Settlement because of the unreasonable restrictions on documentation from Microsoft. They disallow this information to be used to create applications that run on non-MS operating systems. This makes it difficult for an ISV to be competitive on more than one operating system, and locks them in to MS products.

Thank you,
Jared W. Robinson
1383 N. 200 E.
Springville, UT 84663

MTC-00015425

From: Doug Franklin
To: [microsoft.atr\(a\)usdoj.gov](mailto:microsoft.atr(a)usdoj.gov)
Date: 1/23/02 9:09 am
Subject: Microsoft Settlement

Hello, Today I write you to express my dissatisfaction with the Proposed Final Judgement entered in the U.S. versus Microsoft anti-trust trial. In short, the proposed remedies do very little, if anything, to improve competition in the affected markets or ensure that the defendant cannot return to similar or identical anticompetitive behaviors in the future. From my perspective, the Proposed Final Judgement is so flawed that it cannot usefully be amended to reflect the requirements imposed by the Sherman Act and the Appeals Court ruling. I feel that only by imposing much stronger restrictions on the defendant could a Final Judgement in this case approach an effective response to the abusive practices proven against the defendant in the trial.

Thank you,
Douglas N. Franklin

MTC-00015426

From: Scott Purl
To: Microsoft ATR
Date: 1/23/02 9:08 am
Subject: Microsoft Settlement

I wish to comment that the proposed Microsoft settlement is entirely too lenient, and that harsher measures are called for. The recent proposal by Microsoft to give software away to schools is an attempt to get market share in an area that can not normally afford the Microsoft product, and that would probably be interested in a free or less-expensive competing product such as Linux.

If the Microsoft products really are superior products, then let us see them sold separately, instead of bundled with the operating system, and see what the invisible hand of the market decides.

Yours,
Scott Purl
118 Riss Drive
Normal, IL 61761
309.888.9929

MTC-00015427

From: Scott Collins
To: Microsoft ATR
Date: 1/23/02 9:13 am
Subject: Microsoft Settlement

I wish to express my dismay over the proposed settlement of the antitrust case against Microsoft. I cannot condone any outcome of this case which fails to punish a rapacious and unrepentant monopolist in any way. Please consign this proposal to the dustbin of history and proceed with the prosecution of this criminal organization.

Thank you for your time and attention.

Scott Collins

"BSD and Linux aren't 'what you see is what you get' so much as 'what you get is what you asked for, good and hard, and you deserve it'." —Dan Sorenson

MTC-00015428

From: Felts, Tom
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 8:59 am
Subject: Microsoft Settlement

Hello,

I have been an active professional in the computing field for the last 7 years, largely supporting Microsoft products in enterprise environments. During this time, it seems that all major 'innovations' by microsoft have actually been the co-opting of others initial work, and then 'building it in to the operating system'. The web browser is one of these 'innovations'. Digital media players is another. Web servers is another, and the list could go on and on, but the real point of this is that with Microsoft's dominant position, they can absorb ANY idea, change it a little, and then build it in to their desktop. This has a rather stifling effect on the 'little' guys, and has indeed given impetus to Open Licensing, and Free Software. If Microsoft put the effort into Security, rather than 'market dominance', we would all be better off.

The remedy proposed recently does not effectively deal with the reality of the situation. I am opposed to it in it's current incarnation.

Thank you,
Tom Felts

MTC-00015429

From: BJ Premore
To: Microsoft ATR
Date: 1/23/02 9:11 am
Subject: Microsoft Settlement

I do not believe the proposed settlement does enough to prevent Microsoft from throwing its weight around to gain unfair advantage in the future.

BJ Premore
Dept. of Computer Science
Dartmouth College
Hanover, New Hampshire

MTC-00015430

From: Chris Dos
To: Microsoft ATR
Date: 1/23/02 9:10 am
Subject: Microsoft Settlement

This is not a good thing. Microsoft has been strangling the computer industry for years. It's operating system is a monopoly and it must be stopped. Force Microsoft to open up the source code to it's operating systems so other vendors can make competing products. My thoughts are to break Microsoft up into four companies.

- 1) Operating Systems
- 2) Applications such as Microsoft Office
- 3) Internet Portal such as MSN

4) Internet applications such as Internet Explorer, IIS, etc.

Only once this is done, will we see competition brought back to the market.

Sincerely,
Chris Dos
Chris DosPresident
Open Innovations LLC

MTC-00015431

From: J. Erickson
To: Microsoft ATR
Date: 1/23/02 9:10 am
Subject: Microsoft Settlement

Dear Sirs,

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted. Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.

Sincerely,
James Erickson
St. Paul, MN

MTC-00015432

From: Mark Mynsted
To: Microsoft ATR
Date: 1/23/02 9:10 am
Subject: Microsoft Settlement

I am opposed to the DOJ, proposed Microsoft Settlement. It is a good starting point but allows Microsoft far too much room to continue to act in an anti-competitive way. It is also terminated too quickly.

Microsoft's behavior is and was outrageously unethical, consistent, systematic, and illegal. What is required are sanctions that would cause Microsoft to make a persistent, fundamental change in its behavior. The proposed settlement would not do this. This is a watered down slap on the wrist for Microsoft and is not in the public's best interest.

Mark Mynsted
(972) 354-2521 x1154—voicemail/fax
Lesiville Texas, 75067

MTC-00015433

From: Canyon Russell
To: Microsoft ATR
Date: 1/23/02 9:10 am
Subject: Microsoft Settlement

I believe that the current proposed remedy in the Microsoft Antitrust case is not sufficient to cause ANY serious penalty to

Microsoft. I believe that the state of the computer industry and the ability of competitors to to truly compete with Microsoft would NOT be furthered by this proposal. I strongly suggest that the Department of Justice not allow Microsoft to receive such a light penalty that even gives them protections that other companies do not enjoy.

I agree with and have submitted to be co-signed as a supporter of Dan Kegel's Open Letter to DOJ Re: Microsoft Settlement.

Canyon Russell

—Security is directly proportional to inconvenience.—

MTC-00015434

From: Robert
To: Microsoft ATR
Date: 1/23/02 9:09 am
Subject: Microsoft Settlement

Dear Sirs:

I am deeply concerned about the lack of teeth in the proposed final judgement of the Microsoft Anti-Trust lawsuit. As a long time software developer (30+ years), I am frightened by the stranglehold that Microsoft has developed on the software industry. Their predatory, anti-competitive, and seemingly lawless practices threaten the vibrancy of the industry that gave them birth.

My concerns are multiple, but all concern the ability of vendors to compete with Microsoft in either the Operating System or Application areas. For years Microsoft has "enhanced" the Windows "Operating System" (OS) by incorporation of application software into the OS. By incorporating application software (browsers, media players, etc.), into the OS, Microsoft has blurred the distinction between the two. In many cases, this has discouraged innovation and research in those application areas. Nothing in the proposed final judgement addresses this practice.

Microsoft has poorly documented the application program interface (API). Those parts of the API that are documented are poorly done, but there are large portions of the API that remain undocumented and fervently protected by Microsoft. This practice prohibits any vendor from developing a product to effectively compete with the Windows product line. There would simply be Windows applications that would not work on the competing product. Nothing in the proposed final judgement addresses this practice.

Microsoft continues to hold forth extraordinary control over OEMs and large corporations in their restrictive license practices. Large corporations are forced into agreements that force them to buy Windows licenses for every computer the corporation owns or operates that CAN run the windows OS rather than those that do. OEMs are restricted from distribtuing open source software with their products. Nothing in the proposed final judgement addresses this practice. The proposed final judgement has virtually no enforcement provisions. While a technical committee will be established under the proposed final judgement to watch Microsoft, the technical committee has no recourse but to raise the flag and hopefully force Microsoft to return to court. This hardly

seems like enforcement. Overall, I have been dismayed by the conduct of the justice department in pursuing a judgement against Microsoft that would benefit the American citizen. Discouraging competition in the OS and application software industry, allowing licensing that smirks of monopolistic power, and not enabling the oversight committee with enforcement hardly seems in the best intrust of the American consumer.

Sincerely,
Robert W. Heller
Software Engineer
211 East Hermosa
San Antonio, TX 78212-1779

MTC-00015435

From: Kroells, Daniel D.
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 9:10 am
Subject: microsoft Settlement

If the currently proposed settlement goes through, microsoft will continue to monopolize the computer market. They are not being punished for being found guilty as a monopoly at all.

Dan Kroells

MTC-00015436

From: Dan F
To: Microsoft ATR
Date: 1/23/02 9:10 am
Subject: Microsoft Settlement

To whom it may concern:

I do not agree with the proposed settlement with microsoft in the antitrust trial. Microsoft has used an unfair advantage in the marketplace and this settlement does not fix that unfair advantage.

Daniel Fuhr
2837 SW Engler Ct. Topeka, KS 66614

MTC-00015437

From: Thomas Hunt
To: Microsoft ATR
Date: 1/23/02 9:11 am
Subject: Microsoft Settlement

To whom it may concern:

I do not think Microsoft should be able to get away with a settlement that is, essentially, a slap on the wrist. The company needs to be forced to open up its API's to outside companies and to open up Windows more.

Thomas Hunt

MTC-00015438

From: James Lewis Longhurst
To: Microsoft ATR
Date: 1/23/02 9:11 am
Subject: Microsoft Settlement

I believe that the proposed Microsoft settlement is a spectacularly bad idea. In particular, the settlement does not go far enough to make public Microsoft-proprietary software interfaces and formats. If Microsoft continues to hold a monopoly power over its own proprietary software, that monopoly will only increase over time due to the cumulative nature of software development. If the monopoly power is not limited now, it will become even less able to be limited in the future.

As an historian, I've spent a fair amount of time thinking about the development and application of the Sherman Anti-Trust act.

This seems to me to be a perfect time for government intervention.

James Longhurst
Carnegie Mellon University
Department of History

MTC-00015439

From: Richard Cooper
To: Microsoft ATR
Date: 1/23/02 9:13 am
Subject: Microsoft Settlement

I am against the proposed final judgment in US vs. Microsoft. I feel the damage Microsoft has done to the software and OS marketplace is incalculable, and the proposed settlement does little to correct it. I don't feel the settlement levels the playing field for competing operating systems or office software, and would like to see a much stronger penalty imposed. The proposed settlement does not sufficiently relieve Microsoft of the ability to leverage hardware and computer manufacturers unfairly against competing products, nor does it adequately open the Windows API to programmers.

Thanks
Richard Cooper
Web Developer
Digital Animations Group plc
Hamilton House
Strathclyde Business Park
Bellshill, ML4 3NJ
United Kingdom
tel : +44 (0)1698 503300
fax : +44 (0)1698 503399

MTC-00015440

From: Jeff Willis
To: Microsoft ATR
Date: 1/23/02 9:11 am
Subject: Microsoft Settlement

DOJ,
I think the settlement with Microsoft, after weighing in everything, is most likely a bad idea.

MTC-00015441

From: xjimh@mailout6.nyroc.rr.com@inetgw
To: Microsoft ATR
Date: 1/23/02 9:11 am
Subject: Microsoft Settlement

I feel that the proposed settlement is a bad idea. It has too many loopholes, too many easy ways for Microsoft to evade restrictions and penalties. And Microsoft, being Microsoft, WILL take advantage of any opportunities for continued monopolistic behavior. One of the WORST provisions is the one allowing Microsoft to be selective in whom they release code, interface specs, and the like to. They are being allowed to select only those who have a significant business profile, the big Fortune-500 and similar companies. Currently, far more innovative programming is being done in the Open Source area, by garage-shop companies and even by individual volunteer programmers.

This is the area Microsoft most fears—it is impossible for them to crush competitors who are NOT driven by profit, it is impossible to sue thousands of individual—and THIS is the group who can do the most good for a competitive market by being given the information that will allow them to build software to give consumers a choice. I feel that the solution being suggested by the nine states that did not agree with the DOJ

settlement, while perhaps not perfect, is FAR SUPERIOR to the DOJ settlement, and should be taken as the base for the eventual final settlement.

James M. Hartley Jr.
28 Cathy Road
Poughkeepsie, NY 12603

MTC-00015442

From: Rich Gordley
To: Microsoft ATR
Date: 1/23/02 9:11 am
Subject: Microsoft Settlement

Persuant to the Tunney Act, I would like to protest the proposed settlement with Microsoft. The settlement does nothing to prevent Microsoft from behaving in the future as they have in the past. In addition, the settlement does not punish Microsoft appropriately for its violations of anti trust regulations.

Rich Gordley
Head Programmer
Diversified Software Technology
West Des Moines IA

MTC-00015443

From: Mike Metzler
To: Microsoft ATR
Date: 1/23/02 9:12 am
Subject: Microsoft Settlement

To Whom It May Concern,

I am deeply disturbed by the DOJ's apparent lack of gumption in seeing to it Microsoft suffers any real penalties for it's predatory monopolist actions. I am also concerned with the DOJ's 180 degree change of attitude after the Bush administration took over the department. Please help restore my faith in my government in these trying times and throw out this anti competitive settlement. I love my country and am loathe to see it's policies and laws dictated by the companies with the most money and political influence. Sorry for my strong wording, but after the Florida Presidential election ballot box problems, I was concerned there might be a board attempting to decide whether this was a vote for, or against the settlement. I hope my feelings are now clear on this matter.

Thanks
Mike Metzler

MTC-00015444

From: Kenneth Sewell
To: Microsoft ATR
Date: 1/23/02 9:12 am
Subject: Microsoft Settlement

As a voting US citizen and as a professional in the computer field, I am voicing my disapproval of the current Microsoft settlement. The proposed settlement is a joke. No real penalty is brought against Microsoft for their monopolistic practices. Microsofts monopoly hurts all computer consumers, including the Federal and State governments. The only way to ensure competition and innovation is to break Microsoft into at least two separate operating system companies (maybe a third for applications). Also, some kind of federal mandate that all government offices use some percentage of open source software such as Linux or FreeBSD. Currently the attitude in federal offices and labs is "Nobody ever got fired for buying Microsoft." You have the

power to level the playing field. Until now the multi-billion dollar cash pile in Redmond has been able to buy "MS Justice", I truly hope that you will not accept the current settlement, it will only hurt American computer users for generations.

Thanks.
Ken Sewell
Beavercreek, Ohio

MTC-00015445

From: Tatum, Josh SITI-ITDSAO
To: "microsoft.atr@usdoj.gov"
Date: 1/23/02 9:08am
Subject: Microsoft Settlement
The proposed settlement is a bad idea.
Josh Tatum

MTC-00015446

From: Gaarde
To: Microsoft ATR
Date: 1/23/02 9:13am
Subject: microsoft settlement
Digital Research
Quarterdeck
Netscape
Almost Symantec... If you can't beat them or buy them... crush them. Microsoft has deeper pockets than the competition. They don't need to compete. They just buy the competition or sue them so much the competition must spend all their vulture capital on Lawyers instead of R&D. If this is allowed to happen to even one company, it hurts the industry. Unfortunately, the old crones in "power" (congress and senate) don't have a clue about these "new fangled computer thingies." How can one make laws based on something they know little or nothing about?

You want to make new laws to stop Microsoft from doing this stuff in the future? Can you say grandfather clause? The damage is already done. How about laws that SEVERELY PUNISH EVERY individual within ANY company that is caught doing ANYTHING unethical. Oh yea... thats right... then you won't get your new library.... just another form of a bribe. Hide behind the truth and call it standard business practice. I can't count the number of times I have heard of unethical business practices Microsoft uses from reputable sources. Yet somehow, the Justice department ALWAYS looks the other way. Hrrmmm... Kick backs, bribes... having daddies law-firm purchase judges. Don't pretend "the system" is uncorruptable. Shall I bring up ballot stuffing? Yea... they were caught on that one too... but as usual... Microsoft buys its freedom. At what point does the unethical business practices get deemed too much? How much harm must an industry have done to it before the bribes and kickbacks are no longer effective?

The DOJ broke up AT&T... it didn't help... it slowed them down a few years. Now they have a monopoly on Cable-modem access. Breaking up companies with deep pockets doesn't help. Public funds should go into public research and development... not some proprietary software companies pockets. PUBLIC service... not private service.

What message are we sending future generations? "It's ok to be unethical and irresponsible as long as you have a lot money and can hide behind a corporate name."

The people have cried out time and time again... but the crones ears are deaf. Revolution, not reform.

MTC-00015447

From: Nick Wesselman
To: Microsoft ATR
Date: 1/23/02 9:13am
Subject: Microsoft Settlement
The proposed settlement is a bad idea. Microsoft must receive a true punishment for its monopolistic practices.
Nick Wesselman
Milwaukee, WI

MTC-00015448

From: Bort, Paul
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 9:12am
Subject: Microsoft Settlement
The proposed Microsoft settlement should not be accepted because part of the proposed remedy will only serve to continue the Microsoft monopoly. By giving Microsoft software to schools, the company will extend their monopoly by introducing students to their operating systems, applications, and worst of all, marketing. There is nothing in the settlement that prevents Microsoft from giving software to the schools that includes pro-Microsoft advertisements, aside from the natural inclination of the school administrators and teachers to be thankful for the software and equipment they have received.

MTC-00015449

From: Barry Wimlett (091) Endless Solutions (093)
To: Microsoft ATR
Date: 1/23/02 9:07am
Subject: Microsoft Settlement
I hope to see a more suitable settlement than the one currently proposed for the Microsoft Monopolies case. Microsoft owns a monopoly for computer desktop operating systems. Steps must be taken to ensure that microsoft does not unfairly leverage this platform to unfairly forward itself in other markets, such as it did with Internet Browsers in the mid 1990s.

OEM Contracts

The only fair way to prevent Microsoft from leveraging this is to firstly look at the contracts and prices it forces OEM computer equipment suppliers such as Dell and Gateway to sign, to ensure that "unfair" clauses such as "No Internet Browser software other than Microsofts shall be shipped with an OEM supplied Microsoft Operating system." This prevented companies from shipping Netscape Navigator as well as Internet Explorer with the machine.

All OEM Equipment Supplier MUST be allowed to buy Microsoft Operating systems at the same price, and be free to offer any other software in addition to that supplied by Microsoft without prejudice against them.

Bundled Software

If Microsoft want to ship a version of a product such as say "Media Player" bundled with the Windows Operating system then opportunity must be given to other competing products to be included on the

Windows CD, or Microsoft must unbundle the product. This ensures that Microsoft and its competitors face the same "barriers to market" as each other.

Hope these two suggestions help, they are simple and straight forward I hope.
Barry Wimlett
non US-Resident

MTC-00015450

From: Peter Deweese
To: Microsoft ATR
Date: 1/23/02 9:14am
Subject: Microsoft Settlement
The proposed settlement is a bad idea. Microsoft is the only software company that doesn't have to compete by raising the quality of its products. For example, Windows XP is windows 2000 in new packaging, as compared to Apple's incredible new operating system blows it away but stands no chance against MS tactics.
Peter DeWeese

MTC-00015451

From: rmcMahoniv@attbi.com@inetgw
To: Microsoft ATR
Date: 1/23/02 9:13am
Subject: Microsoft Settlement
Under the provisions of the Tunney Act, I wish to provide my comments before a final decision is made on the proposed Microsoft settlement. Having reviewed numerous press reports on the settlement, and many of the official court documents available to the public, I believe the proposed settlement is unacceptable in light of the findings of fact, and does not go far enough in attempts to remedy the situation. It is too open to interpretation, which is precisely the sort of environment which Microsoft thrives in—twisting and stretching the letter of the law as much as they can to suit their purposes. I sincerely hope the Department of Justice rejects this settlement, and pushes for stricter regulations and punitive actions against Microsoft.

Thank you,
Richard McMahon
Fort Worth, Texas

MTC-00015452

From: Rob Lembree
To: Microsoft ATR
Date: 1/23/02 9:13am
Subject: Microsoft Settlement
This communication is pursuant to the Tunney Act period for public comment, and is authored by Robert Lembree, 29 Milk St., Nashua, NH 03064-1651, (603) 880-6768.
The proposed settlement of the anti-trust case against Microsoft by the United States Government is grossly inadequate and does little more than hand Microsoft a government sponsored marketing opportunity. Rather than punish Microsoft for its illegal activities as a monopoly, it strengthens Microsoft's already dominant market position and therefore runs directly contrary to the intention of the anti-trust finding and prosecution.

It is clear that either Microsoft itself or parties biased in Microsoft's favor were involved in the crafting of the agreement. The agreement is riddled with loopholes that not only preserve Microsoft's dominance, but

also which discourage the development of alternative technologies.

A case in point is that while companies may develop alternate technologies, the APIs and access to critical file formats (such as media formats) prevent these alternate technologies from being compatible in any way with Microsoft's dominant technology. This means that Windows Media format files, which dominate the media available on the Internet because of Microsoft's monopolistic practices, remain off limits to those not using Microsoft's operating systems and/or tools. Microsoft's own licensing prohibits the development of open source tools with their software development kits, and prohibits the development of tools for operating systems other than Windows. The settlement fails to remedy in this case.

This is one of literally a hundred cases in point that I can think of, but I don't want to deluge you. The point that I want to get across is that Microsoft's dominance in the marketplace has caused a stifling effect on innovation because if Microsoft doesn't want competitive solutions, it is simple for it to make meaningful competition impossible through any number of means: * obfuscation in its dominant operating system ("we don't supply APIs for that") * exclusivity deals with content providers ("if you use only MS format files on your website, you get consideration") * failure to support competing operating systems such as Linux or MacOS with key application (non-OS) technologies And there are more.

Any meaningful remedy will undo some of the damaging effects of Microsoft's anti-competitive practices, such as the publication of important APIs, the removal of restriction on using Microsoft's application technologies on non-Microsoft operating systems, and so on.

regards,
robert lembree

MTC-00015453

From: Paul Keusemann
To: Microsoft ATR
Date: 1/23/02 9:13am
Subject: Microsoft Settlement

The propose settlement with Microsoft is a bad idea. Microsoft has never show any willingness to modify its behaviour of its own accord and the proposed settlement does nothing to end Microsoft's unlawful conduct. The proposed settlement give Microsoft ample room to maintain their current monopoly and extend it into new areas. If nothing else, the concentration of money and power that Microsoft has accumulated is detrimental to national security.

Please do not allow this settlement to be approved.

Paul Keusemann pkeusem@visi.com
4266 Joppa Court (952) 894-7805
Savage, MN 55378

MTC-00015454

From: Michael Jennings
To: Microsoft ATR
Date: 1/23/02 9:14am
Subject: Microsoft Settlement

Microsoft is an extremely abusive company. The abuses presented in the

antitrust case against Microsoft are only a small selection of the total. The proposed settlement with Microsoft is government corruption. If it is accepted, those in the DOJ whose names are involved with it will have to live with it for the rest of their lives. Those wanting dishonesty in government will be your friends. Those wanting dishonesty will avoid you and oppose you.

Regards,
Michael Jennings
Futurepower Computer Systems

MTC-00015455

From: Anthony McDowell
To: Microsoft ATR
Date: 1/23/02 9:14am
Subject: Microsoft Settlement

The currently proposed settlement between Microsoft Corp. and the United States is terrible for consumers and the industry; let me explain why. My name is Anthony McDowell. I am a Computer Engineering student and Army cadet at Mississippi State University. My responsibilities within the Army require that I do extensive work with computers and computer systems. Therefore, I feel particularly compelled to respond to this call for public opinion.

I have been involved in the computer industry since I was about nine years old. In that time, I have seen Microsoft evolve from being a rather equal partner in the global computer industry to one which has abused and created circumstances which were unfortunate for their competitors.

Therefore, I believe that the settlement of Microsoft's anti-trust case, as currently proposed, is not strong enough. Microsoft has demonstrated in the past that it does not take legal rulings to heart. During the ramp-up period prior to Microsoft's release of its WindowsXP operating system, Microsoft intentionally worked to cause any legal ramifications to be delayed long enough to allow the operating system into the market. That move alone has done gone great harm to the industry. The "features" Microsoft has bundled with this operating system release have already shut out a great many competitors and severely inhibited the abilities of others. For example, Microsoft's "Windows Media Player" application has been mutated to a point such that it performs functions previously done by various competitors. Media Player has removed the "need" for products such as RealAudio Player from RealSystems, QuickTime Player from Apple Computers, and WinAmp from Nullsoft/AOL-Netscape-Time Warner. Microsoft's web browser, Internet Explorer has also attempted to purge the market of competitors. By developing Microsoft-specific extensions to the HTML web programming language, Microsoft has attempted to ensure that only their browsers are used to connect to web pages. These Microsoft-specific extension not only perform special functions if viewed in Internet Explorer, they also tend to cause non-Internet Explorer browsers to crash, presenting the facade that these competing products are "buggy" or of lesser quality than the Microsoft Browser.

This kind of Microsoft exclusivity has also been seen migrating into their software

development products such as Microsoft Visual Studio. In Microsoft J++, a component product of Visual Studio used for developing JAVA-based applications, Microsoft has again added Microsoft-specific extensions or functionality which performs reasonably well on a Microsoft platform, but often causes applications to appear buggy or non-functional on competing platforms.

These cases are but a few from Microsoft's extensive and far-reaching dossier of anti-competitive practices. It is by using the practices stated above, circumstances not currently covered by the proposed settlement, that Microsoft will continue to be a monopoly and will continue to control how and when things are done inside the consumer computer market. Under normal circumstances, I would agree that Microsoft is simply being a good competitor by attempting to further their product gains. However, Microsoft holds a trump card which most companies normally don't: they also control the platform which their products are based on. It is like allowing Ford, or Daimler-Chrysler to control how roads are built so that their automobiles run more smoothly on them.

Operating systems are one of the fundamental pieces of software which a computer uses.; no computer will operate without one. As such, I propose the removing of all operating systems from companies currently producing them. This would include Windows (all versions) from Microsoft, MacOS from Apple, and the various Linux/UNIX/Posix compliant operating systems from other smaller companies. Further, I suggest that these companies enter into a government-supervised council which has the sole purpose of developing a platform-independent, consumer-level operating system to be released to the public free of charge. If a computer cannot function without an operating system, then I feel consumers are being placed in "double jeopardy" by being forced to pay twice simply to use the computer. A free operating system such as this would allow a consumer to purchase a computer without the worries of licensing on the most fundamental level. This operating system would be platform independent enough to run on Intel/AMD x86 class microprocessors, the PowerPC class microprocessors used in Apple-branded computers, and others. Consumers would then have the freedom to purchase software products based on their merits, not on their platform requirements. Unfortunately, while most of the nation is aware of the basic facts in this case, only the few who actually work in this industry are entirely aware of its importance and the legal precedent which stands to be made. If Microsoft is allowed to leave this case with such a simple and uncorrecting punishment against them, they will lay the groundwork for other anti-competitive companies to use money and legal tactics in the same fashion. Therefore, I feel compelled to use my knowledge and understanding of this case for the betterment of the public at large. The terms of this agreement are terribly underpowered and unenforceable. As a soldier in the United States Army, I feel particularly afraid that the

United States legal system is going to allow these kinds of companies to control the very computer systems which I must use to help safeguard the lives of my fellow soldiers and the American populace. In conclusion, I would like to re-iterate Microsoft's passion for ignoring legal proceedings. Unless a stronger ruling is issued against Microsoft, nothing will change. Despite the great costs involved in a case of this magnitude, Microsoft has continued to prosper and profit financially from their monopoly in this market. Unless something is done with serious ramifications, the results of this case will be business as usual for Microsoft and fewer choices and less computer security for consumers.

Thank You and Best Regards,
Anthony McDowell
Student, Mississippi State University
Cadet, United States Army

MTC-00015456

From: Donald Grayson
To: Microsoft ATR
Date: 1/23/02 9:14am
Subject: Microsoft Settlement

To whom it may concern.

As a concerned consumer I am deeply troubled by the direction of the proposed settlement in the Microsoft anti-trust trials. Indeed, the way the settlement is worded it only appears to hand Microsoft even more power in the future with regards to their stranglehold on the public's exposure to computers, the Internet and upcoming consumer electronics devices.

We cannot afford as a nation to have one company be the sole interface to how we communicate to each other. Microsoft has demonstrated that it is incapable of playing by the accepted rules of business in the US and should be punished accordingly.

I feel that the settlement proposed by the states in non-agreement with the current settlement does far more to control Microsoft as a company and to help level the field for competitors in the market.

Thank you.
Donald Grayson
Kentucky

MTC-00015457

From: Andres Moya
To: Microsoft ATR
Date: 1/23/02 9:14am
Subject: Microsoft Settlement

Hello.

I'm not an U.S. citizen, but I feel that this case also affects me as the monopoly of Microsoft is impacting to many countries (included mine). I don't like the proposed settlement, and would like if my opinion could be taken into account.

Thanks.

MTC-00015458

From: Bennett C. Baker
To: Microsoft ATR
Date: 1/23/02 9:15am
Subject: Microsoft Settlement
To Whom It May Concern;

I am writing this letter to express my opinion that the currently proposed Microsoft settlement is completely inadequate in terms of the remedies proposed for Microsoft's blatant, frequent, arrogant,

and ongoing abuse of its monopoly position. I am especially distressed to find that the proposed settlement does absolutely nothing to prevent Microsoft from continuing to deliberately and cynically sabotage its implementation of public-domain communications protocols in order to break compatibility with non-Microsoft products and protocols. This behavior, if left unchecked, will create immeasurably high barriers to entry for any entity wishing to work with or create products for the Internet or the World Wide Web. Current basic Internet protocols are in the public domain, and any entity can create equipment or services for use with the internet. If Microsoft succeeds in their attempted Balkanization of formerly public protocols, all would-be players on the Internet field would have to pay a tithe to Microsoft or face an enormously high barrier to entry, thereby effectively destroying the innovation which so often comes from smaller entities.

In closing, I strongly urge that the proposed settlement be amended to provide some real protection to all of us from Microsoft's continued predation. Thank you.

Sincerely,
Bennett C. Baker
B::Ware
bbaker@bware.com
http://www.bware.com
CC:bbaker@bware.com@inetgw

MTC-00015459

From: Cosimo Leipold
To: Microsoft ATR
Date: 1/23/02 9:15am
Subject: Microsoft Settlement

The proposed settlement with Microsoft is a bad idea.

MTC-00015460

From: Tim Maletic
To: Microsoft ATR
Date: 1/23/02 9:15am
Subject: Microsoft Settlement
To: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement. I find numerous problems with the proposed settlement, but, for me, two stand out: the lack of a requirement upon Microsoft to publish its APIs, and the wording in III.J.2 that allows Microsoft to decide with whom it must share technical information.

As Ralph Nader has written elsewhere, "[U]nder J.1 and J.2 of the proposed final order, Microsoft can withhold technical information from third parties on the grounds that Microsoft does not certify the 'authenticity and viability of its business,' while at the same time it is describing the licensing system for Linux as a 'cancer' that threatens the demise of both the intellectual property rights system and the future of research and development." Is it not obvious how Microsoft will respond to requests for technical information from developers of Open Source software?

I urge you to reconsider your position.

Sincerely,
Tim Maletic, CISSP
Information Systems Security Officer
Priority Health, Grand Rapids, MI

MTC-00015461

From: john@cfa.harvard.edu@inetgw
To: Microsoft ATR
Date: 1/23/02 9:15am
Subject: Microsoft Settlement

Hi,

I am a US Citizen and I feel that the proposed settlement of the Microsoft anti-trust case will do nothing to change the monopolistic practices of Microsoft. Any settlement which does not severely restrict Microsoft from simultaneous operation in the OS and Internet, and Applications market will do little to create a fair open computer software arena in which competitors have a chance.

I recently upgraded a computer from Windows 95 to Windows XP. Windows XP is an advertising platform for additional generally unrelated Microsoft products and services.

As a specific example the "Passport" advertisement is a carefully worded almost lie. When you attempt to connect to the internet the XP system prompts you popping up a window saying that you MUST have a passport to browse the internet. This is untrue and the average user will be unable to distinguish between the actual wording that says you MUST have a passport for the use of MICROSOFT services the the wording I used above.

There are numerous other advertising features embedded in XP which present Microsoft products and services as the necessary for use of the OS or Internet. These presentations are unfair and continue to bolster Microsoft's monopolistic position in the software market.

John Roll
Computer Software Engineer
Smithsonian Astrophysical Observatory
john@cfa.harvard.edu

MTC-00015462

From: Glenn Sokol
To: Microsoft ATR
Date: 1/23/02 9:21am
Subject: Microsoft Settlement

I believe that the current Microsoft anti-trust settlement is ineffective. Microsoft should have to conform to standard file extensions, so that all programs on all operating systems can read a particular file. I also believe that Microsoft should release many of its programs (games, office applications, desktop applications) for other operating systems (not just Macintosh). I hope the Department of Justice recognizes the voices of the public and takes heed to the suggestions.

Glenn Sokol
SGI
Co-op
gsokol@sgi.com
Work: 212.370.8640
Cell: 203.895.5289

MTC-00015463

From: Dave Anderson
To: Microsoft ATR
Date: 1/23/02 9:14am

Subject: Microsoft Settlement

I'd like to add my comments on the proposed remedy of the Microsoft antitrust trial.

The best way to restore healthy competition in the software development industry is to force Microsoft to completely release all source code of all their products as "open source" or public domain.

Just like affirmative action policies had to be instituted to compensate decades of discrimination against minorities, a period of compensation needs to be established to restore competition to the software development industry. Although this would be devastating to Microsoft for a period of time they could be allowed to continue to move forward with the other provisions provided in the proposed remedy.

Another area I feel is lacking in the proposed remedy is adequate protection of the small consumer. Microsoft has charged consumers large and small for "upgrades" that were really repairs to faulty code. Microsoft needs to be held accountable for their product defects. The consumer should have access to free and unlimitted support. Government oversight of Microsoft's problem tracking needs to be implemented just like there is government oversight of utility services. A utility is a publicly approved monopoly and is allowed to be one because it is heavily regulated. Microsoft has become an un-approved monopoly and will require regulation until the competition has recovered enough for the market to work properly.

Thank you for considering these ideas
Sincerely
David C Anderson
5011 W 66th St
Prairie Village, KS

MTC-00015464

From: James.Clements1@
VerizonWireless.com@inetgw
To: Microsoft ATR
Date: 1/23/02 9:16am
Subject: Microsoft Settlement

Dear Sirs;

With all due respect any settlement between Microsoft and The United States is doomed to failure for several reasons. First and foremost, Microsoft has not and will not change what and how they do things, no matter what the judgement is, unless a tremendous amount of force is brought to bear, probably more force than the government apparently is willing to use. They will continue to dump "free" software, which is not truly free but which has the cost bundled with their products, and thereby damage and destroy competitors, much as other countries have tried to dump steel and microchips in our markets.

Microsoft will continue to bundle these "free" items with their operating systems, giving them a tremendous advantage over competitors, even when those same competitors have better products but which are not "free" and are not available by default.

They will continue to modify their operating system so that competing products do not work as well as their own products. There are other issues, but this

should be sufficient. Give up, you have lost, and you and I must learn to live in a Microsoft world with limited choices and limited freedoms.

Sincerely,
James Clements

MTC-00015465

From: Ian
To: Microsoft ATR
Date: 1/23/02 9:16am
Subject: Microsoft Settlement
Microsoft is evil.

MTC-00015466

From: Roy Brickley
To: Microsoft ATR
Date: 1/23/02 9:16am
Subject: Microsoft Settlement

Dear Sir or Madam,

I would like to comment on the proposed settlement of the DOJ and nine states attorneys general vs. Microsoft. I consider this a very poor settlement proposal in regards to the findings of the appeals court in this case. The proposed settlement has very little purposeful punishment of the crimes committed by Microsoft. Also, the wording of the settlement provides many cases where Microsoft can effectively continue business as usual, including competitive practices that have been found illegal by the appeals court. I ask that this proposed settlement be rejected and that either the court construct an appropriate judgment or consider the counter-proposal of the nine states that did not sign on to this proposed settlement.

Thank you,
Roy Brickley
31148 Oakhill Way
Hayward, CA 94544

MTC-00015467

From: Bruce Tong
To: Microsoft ATR
Date: 1/23/02 9:16am
Subject: Microsoft Settlement

I'm a software developer at a small company in S. E. Ohio who specializes in nursing education software but who also consults for local businesses. The big companies (Microsoft, Sun, etc.) have no idea who we are, and this opinion is unsolicited.

It is my opinion choice and competition needs to be restored to the desktop operating system market. If this is left to normal market forces, it will be 10 years before the situation will change. To accomplish this, I would break up Microsoft into 3-4 identical companies. Give each of the companies—all— of Microsoft's current technologies and divide Microsoft's other assets equally.

In my eyes, the desktop operating system market would then have no majority player. The various MS children would have to compete to sign deals with hardware vendors and service providers, instead of the current situation where Microsoft can demand terms from those organizations. —

Bruce Tong
Got me an office; I'm there late at night.
Sr. Software Engineer
Just send me e-mail, maybe I'll write.
Electronic Vision / FITNE
zztong@pugsly.ev.net —Joe Walsh for the
21st Century

MTC-00015469

From: Ross A. Knepper
To: Microsoft ATR
Date: 1/23/02 9:16am
Subject: Microsoft Settlement
To: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

I wish to register my opposition to the proposed Microsoft settlement. I object to the proposal for the following reasons:

1) Fundamentally, the settlement would treat the symptoms of the problem, rather than the problem itself. The remedies spelled out in the proposal are overly specific, to the point that microsoft can still find other means not mentioned to continue abusing its monopoly.

2) For example, one omission for the settlement proposal is competing windows-compatible operating systems, such as WINE on Linux. Microsoft intentionally erects a large Barrier to Entry by using restrictive license terms and intentional incompatibilities, which the settlement would not prohibit.

3) As another example, Microsoft currently uses restrictive licensing terms to keep Open Source applications from running on Windows, and they similarly restrict Windows applications from running on other operating systems. The proposed final judgement would prohibit neither of these licensing terms.

4) Beyond the licensing terms, Microsoft uses continuous intentional incompatibilities from one release to the next to prevent applications from running on competing operating systems. Once again, this behavior would not be restricted.

5) Finally, the proposal as currently written lacks an effective enforcement mechanism. There is no real penalty for disobeying its terms. In conclusion, i would like to assert that the proposed settlement is really not settlement at all. If we allow it, we are conceding to Microsoft, and they win the case. Their abuse of monopoly powers would go on unabated.

As an alternative, I would propose splitting the company up, but not into an operating systems and applications division. Rather, I would suggest splitting it up into two competing Microsofts, each of which inherits all the code of the parent company. They would be forced to develop their code independantly, and any standards would have to be publically announced such that other competitors might write compliant code as well. And best of all, Microsoft would finally have some equal competition.

Thank you for considering my opinion.

Sincerely,
Ross A Knepper
Ross A Knepper
34 Kessler Farm Dr. #574
Nashua, NH 03063
H: (603) 889-7778
W: (603) 884-9088

MTC-00015470

From: Michael Sandford
To: Microsoft ATR

Date: 1/23/02 9:17am

Subject: Microsoft Settlement

I feel that the current proposed settlement for the Microsoft case is too lax and that it requires further strengthening in order to be in full compliance with the law. Microsoft has developed a whole new software development environment called (dot).NET that is not mentioned in the settlement, and that would allow the current settlement to be a setback of miniscule proportions. They have even announced how (dot).NET is the successor to the currently used JVM, and yet the settlement does nothing to make sure (dot).NET will continue to be open. It also does not do enough to make sure that all software vendors can get access to the Windows APIs, nor does it open up access to all APIs that Microsoft currently implements. This would allow Microsoft to shift their focus from the products mentioned in the settlement, to those that are not and continue using restrictive licensing and other unfair anti-competitive practices.

Michael Sandford

EE/CE student at UNF

MTC-00015471

From: gwa@austin.ibm.com@inetgw

To: Microsoft ATR

Date: 1/23/02 9:17am

Subject: Microsoft Settlement

The proposed settlement with Microsoft is inappropriate. While rectifying SOME of the practices which were found to be anticompetitive, it fails to sufficiently restrict further similar anticompetitive practices.

Thank you,

Gregory W. Alexander

12330 Metric. BLVD

Austin, TX 78758

POWER4 Microprocessor Design, IBM Corporation.

The views expressed herein are my own, and not necessarily those of my employer.

MTC-00015472

From: Shawn P. Garbett

To: Microsoft ATR

Date: 1/23/02 9:17am

Subject: Microsoft Settlement

Hash: SHA1

Dear Renata B. Hesse,

I'm against an easy settlement against Microsoft. I've been a programmer in the industry for sixteen years and Microsoft has truly made certain aspects of my job difficult.

Time and time again over these years they have abused their position to their profit. Like for example, they published a developer's standard for versioning. Then when they broke that standard, it forced everyone who was developing for their software to buy upgrades to their development tools if you wished to release products for the Microsoft environment. This not only cost companies across the company major money in forced licensing, but also time in retooling their programming departments. Then after the wave of complaints from developers, they had the nerve to do it again and again and again.

They continue to take industry standards and with a well known strategy of theirs, they adopt the standard. Then once they get a majority of users on their side of the fence

using their tools they change the standard. Several times they have attempted to copyright their extensions, so that no one else can interoperate with their software. This causes a wave of programming development throughout the industry for no gain other than increasing Microsoft's dominance. More money and wasted effort on the part of programmers and IT departments throughout the world. With no real benefit to anyone but Microsoft.

A full fifty percent of my time over my career has been spent reworking things that don't need reworking because Microsoft has a plan for industry dominance that forces programmers to rework. During this time, Microsoft has not shown much concern for the user with the frequent reboots required and total lack of security in its products.

The UNIX tools I used when I started have grown and changed some over the years. But the originals still work, the standards they were built upon still work. I can't find a single Microsoft tool or "standard" I originally used that would still work in a reasonable manner. Microsoft needs swift and harsh penalties for its anti-competitive policies that have caused years of set back in the industry. This productive energy that has been wasted playing their game could have been spent on innovation.

Proposals for the settlement:

(1) I think if anyone thing comes from the judgement, that Microsoft should not be allowed to "Adopt and Extend" any published standard. The adopt part is fine, the extend or change is not. Example: They adopted Kerberos and have created a set of extensions to make their software incompatible. They have copyrighted those extensions.

(2) They should not be allowed to break their own standards for versioning of system libraries. The release of different versions of system libraries with the same version number should be prohibited. This is the dirty trick they used to force upgrades of their compilers and some users.

(3) They should be forced to open their source code to their operating systems (i.e. Windows) to the world. I've written several packages to interoperate with Microsoft products only to notice that their own function in a superior manner. Upon investigation, they were using unpublished back doors. Any software working through the "front door" was penalized in performance and reliability, while their own development departments were using the secret "back door". Published source code would prevent such hamstringing of developers, as any "back door" would be immediately apparent. This would also have the effect of "auditing" their code for security problems and force them to upgrade many security holes. This would actually benefit users greatly in terms of performance, reliability and security. Any anti-competitive pieces of code would be easily identifiable.

(4) I'm highly in favor of splitting the company between an OS company and a tools company. This be the easiest, lowest policing method of insuring many abuses don't occur in the future. If you don't think this is necessary, then put it as a penalty clause for violating any terms of the final

judgement. Then if they go back to their predatory practices, they will be split.

Thank you,

Shawn Garbett

4037 General Bate Drive

Nashville, TN 37204

(615) 292-6496

MTC-00015473

From: Mark Ross

To: Microsoft ATR

Date: 1/23/02 9:20am

Subject: Microsoft Settlement

The Microsoft Settlement is a bad, bad idea. MS has shown repeatedly that they are willing to use their massive financial weight to force their products on the public. Any settlement that does not significantly alter the way MS does business is a mistake and will lead to continued MS homogeneity.

Thank you,

Mark Ross, Webmaster.

mross@bcefcu.org

(818) 846-1710 x331

MTC-00015474

From: Art Cancro

To: Microsoft ATR

Date: 1/23/02 9:17am

Subject: Microsoft Settlement

Hello,

I would like to express my opposition to the "settlement" currently being floated for the Microsoft antitrust case. The proposed settlement is completely one-sided, providing Microsoft with ample opportunity to continue "business as usual" (steamrolling any competition that gets in their way) without adding any significant checks or balances to slow them down.

Please reject this settlement and seek actual remedies.

Art Cancro <acancro@xand.com>

System Administrator, XAND Corporation

MTC-00015475

From: Mike Cathey

To: Microsoft ATR

Date: 1/23/02 9:17am

Subject: Microsoft Settlement

Dear Sir;

I co-signed Dan Kegel's open letter, but I would like to express some personal concerns of mine as well.

The PFJ doesn't prevent Microsoft from continuing its current anti-competitive practices. There is a point at which capitalism can inhibit free enterprise. I believe that Microsoft has reached that point. They have and are currently using their current monopoly—in workstation operating systems—to establish monopolies in other markets (READ internet access, home entertainment systems, etc). They have restrictive licensing on their development environments that prohibits their use to create non-MS Windows software/applications. Finally, the PFJ would allow them to bring lawsuits against excellent software projects, like samba (see <http://www.samba.org/>), which are working towards integration—not market domination.

Thank you for listening to the concerns of a voter.

Sincerely,

Mike Cathey

MTC-00015476

From: Judson Holt
To: Microsoft ATR
Date: 1/23/02 9:17am
Subject: Microsoft Settlement

I believe the proposed Microsoft settlement is wrong. It does not go far enough to restore competitiveness.

To me, competitiveness means that there must be a way for a third-party software company to come up with an operating system that is completely compatible with the hardware and applications that currently work with Windows. As I understand it, the best way to do this is to require Microsoft to publish its APIs. I have used Microsoft products for a long time. First MS-DOS on an IBM PC, then Windows 3.1, then Windows95, WindowsNT, and now I'm using Windows2000. However, I have been continually frustrated by the additional "features" that have been tacked on with each successive generation of O/S. I would love to be able to buy a "stripped down" Windows with few features, low computing overhead, high stability and high security that is still compatible with all the application software that's already available. I doubt Microsoft will ever consider making this kind of OS. In a truly competitive environment I should be able to buy such an operating system from a third-party vendor, assuming people like me formed a large enough niche market.

Judson Holt
MIT Chemistry
(617) 253-6964
judson@mit.edu

MTC-00015477

From: Simon Buckley
To: Microsoft ATR
Date: 1/23/02 9:19am
Subject: Microsoft Settlement

Sirs,

I feel that the proposed settlement in the Microsoft anti-trust case serves as neither punishment nor discouragement. After many years of discussion, we have now reached a point where we all agree that Microsoft has engaged in anti-competitive practices, and circumvented previous attempts at oversight. Please, its time to reign them in and allow a second technology boom.

Sincerely
Simon Buckley

MTC-00015478

From: Linda Welles
To: Microsoft ATR
Date: 1/23/02 9:18am
Subject: microsoft settlement

It's time to wrap this up and let Microsoft get on with running a business. Let's face it, the world of innovation has been in a slump ever since this antitrust started. Think about it ... there has been a gradual slowing down of the economy ever since this began. NOW, let's get this settled as it stands and get on with other things like ENRON and ANDERSON!

MTC-00015479

From: Steve Wright
To: Microsoft ATR
Date: 1/23/02 9:19am

Subject: Microsoft Settlement

Sir or Madam,

I am a software developer who works in a multi-platform environment. It is my belief that Microsoft's actions to attain and keep their monopoly may be good for Microsoft, but that they have a negative effect on the industry as a whole. I am concerned that the current settlement with the company does nothing to address Microsoft's monopolistic behavior. They are being let go with a slap on the wrist. I encourage you to take stronger measures.

Thank you,
Steve Wright

MTC-00015480

From: Gary D. Cupp, Jr.
To: Microsoft ATR
Date: 1/23/02 9:16am
Subject: Microsoft Settlement
To Whom It May Concern,
I believe that this settlement is a bad idea.
Gary Cupp
HelpNet, LLC
P.O. Box 2157
Harrisonburg, VA 22801
"Jesus is Lord!"

MTC-00015481

From: Fredericks, Fred
To: Microsoft ATR
Date: 1/23/02 9:18am
Subject: Microsoft Settlement
To: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Under the Tunney Act, I would like to comment on the proposed Microsoft settlement. I have several problems with the settlement.

(1) The PFJ does not prohibit Microsoft from increasing the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities.

(2) The PFJ contains overly narrow definitions—for example A) it forces Microsoft to publish its secret API's, but defines API so narrowly that Microsoft will be able to avoid disclosure B) it allows users to replace Microsoft middleware with competing middleware but defines "middleware" so narrowly that the next version of Windows may not be covered at all. C) The PFJ does not cover Microsoft .NET—it allows users to replace Microsoft Java with a competing product but Microsoft is phasing Java out in favor of .NET. D) The PFJ requires Microsoft to release the API information but prohibits competitors from using it to develop operating systems that are compatible with Windows (and thus could compete with Windows).

(3) The PFJ does not prohibit Anticompetitive licensing terms currently used by Microsoft. Microsoft's enterprise licensing scheme still has large companies paying per machine that *could* run Windows instead of those that do—this type of licensing is similar to those banned by the 1994 consent decree. Microsoft's licensing also restricts vendors from installing other competing operating systems to operate side-by-side with Windows.

(4) The PFJ as written does not contain an effective enforcement mechanism.

I believe that the PFJ should not be adopted without substantial revision to address these problems.

Sincerely,
Michael Fredericks 4773 Tapestry Dr
Fairfax, VA 22032

MTC-00015482

From: Robert Bushman
To: Microsoft ATR
Date: 1/23/02 9:13am
Subject: Opposed to Proposed Settlement
Dear Sir or Ma'am;

I do not support Microsoft's proposed settlement because I do not think it provides sufficient punishment to balance Microsoft's offenses, nor sufficient incentive to prevent them from doing the same in the future. Furthermore, the idea of punishing an abusive monopoly by requiring them to extend their monopoly into the US educational system is incomprehensible.

Much has been said of finding a win/win solution. This ignores the fact that Microsoft broke the law and is supposed to be punished. They are not supposed to win.

Thank you for your consideration.

Robert Bushman
Senior Software Engineer
Apollo Group, Inc.
Research and Development Department
The opinions expressed herein are mine and may or may not reflect the opinions of Apollo Group, Inc. or its subsidiaries.

MTC-00015483

From: Duane Gustavus
To: Microsoft ATR
Date: 1/23/02 9:18am
Subject: Microsoft Settlement
Dear Doj:

The proposed settlement with Microsoft is fatally flawed and will not accomplish any useful modification of Microsoft's behavior. The evidence mounts that government, and especially the Department of Justice, is losing credibility with the public. Please do not participate in actions that will be viewed in the light of history as government complicity with what were once termed "racketeers". Microsoft has already been found guilty. Please do the duty you ask us to do every time we serve on a jury.

Duane Gustavus
1223 Panhandle St.
Denton, TX 76210
duane@denton.com

MTC-00015484

From: Robert Petrusz
To: Microsoft ATR
Date: 1/23/02 9:19am
Subject: Microsoft Settlement
Dear Sirs,

I have been reading about the progress of the motions against Microsoft in the press in recent days and am alarmed by what appears to be the softening stance of the courts with respect to Microsoft's viciously anti-competitive behavior. I have been working in the Information Technology industry for several years. Everyday I experience first-hand the disruptive and destructive consequences of Microsoft's aggressive behavior in the form of poor performance of

Microsoft products that are protected from serious competition from viable alternative products.

Now I see the grim prospect of Microsoft going unpunished in a substantive way for their transgressions. I hope that at the end of the day, the justice department will find a way to restrain Microsoft's anti-competitive behavior and establish a "level playing field" in the highly competitive computer industry.

Regards,
Robert Petrusz
Technical Support Center
Fuqua School of Business
Duke University

MTC-00015485

From: Nick Allen
To: "microsoft.ctr(a)usdoj.gov"
Date: 1/23/02 9:17am
Subject: Microsoft Settlement
To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future.

The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,
Nick Allen
IT Engineer
Ohio State Bar Association
(letter c/o grylnsmn)

MTC-00015486

From: Scott Russell
To: Microsoft ATR
Date: 1/23/02 9:29am
Subject: Microsoft Settlement
Scott Russell
Orr's Island, ME
Judge Colleen Kollar-Kotelly, and The
Department of Justice

I am an American citizen with over 17 years of experience in software development.

The current Microsoft settlement is inadequate to improve the competitive environment in the software industry. Microsoft holds and has enforced a

monopoly on the desktop computer market, and this settlement does not provide sufficient penalty for these misdeeds. Microsoft has failed to abide by the spirit of previous agreements. Providing an oversight committee, but no provision for the ability to penalize Microsoft represents a weak settlement—one that does not protect the consumer or the non-monopolists in this market. This settlement provides inroads for Microsoft to continue to undermine both the software industry in general, and the Free Software movement in particular. In the past, Microsoft has been found to mislead its customers and vendors, the public, and the courts. Logically, we should consider that it may continue to do so now, and will probably do so again in the future.

Marketing statements notwithstanding, innovation does not come from forcing a stranglehold on the citizens of the world. It emerges from the free exchange of ideas among organizations as peers. There is nothing wrong with pure competition or free capitalism, and I support both. Imposing operating constraints on an organization should only come into affect when the organization steps outside of the standards of Society and Law. The global community, and Americans in particular, expect a degree of ethical behavior on the part of corporations—The Sherman Act was created to provide recourse to address those situations in which an entity steps outside of the boundaries of acceptable behavior.

Microsoft has crossed this well-defined line, and should suffer a tangible penalty for past misdeeds, the disastrous effects of which are ongoing, and will continue for years. A mechanism for preventing and penalizing attempts at future misdeeds must also be part of this remedy. One who violates the law should not be allowed to keep his ill-gotten gains. The court has found that Microsoft has engaged in activity that is in violation of civil law, by maintaining and extending an illegal monopoly. Microsoft committed these illegal acts with the successful intention of taking money from consumers, competitors, and vendors. The current settlement allows them to keep these gains, which would be measured in billions of dollars. Some solid process must be put into place to ensure that this money, if not returned to those it was taken from, will be used to recover from the damage caused by the illegal actions of this monopolist. Negative impacts upon the economy and technology innovation should not be a reason to prevent a harsh judgment in this case. The impact of a tumble in Microsoft's stock price on the world economy will be offset by the rise of independent software vendors, once they are free of the tyranny of a sitting monopolist. Technology will become more valuable, stable, and secure as more worthy organizations begin to set the pace for this field. Allowing a single organization to have such a strong hand in the survival of a market, and the nation's economy in general must be stopped. It's a simple fact—the tech industry would do better and recover faster without Microsoft controlling its interests. Applying reimbursement and punitive damages to Microsoft serves the national interest—not doing so serves only Microsoft's interests.

I wish to give a few guidelines to help define what would constitute a fair remedy: Prevention of Recurrence—Microsoft must not be allowed to continue to abuse or enforce its monopoly. Reimbursement—Microsoft must not be allowed to retain the profits it has earned as a result of its illegal actions.

Reparations—Microsoft is responsible for the current uncompetitive market in operating systems and related applications. The should be forced to underwrite efforts to restore competition and consumer choice. Damages—Microsoft must pay punitive damages over and above its reimbursement and reparative obligations, both as punishment for wrongdoing, and to deter future monopolists.

The existing settlement serves to grant Microsoft it's monopoly, and will cause additional damage to many, many industries. It will also ensure that there will be more cases of United States Vs Microsoft in the future, costing more money to taxpayers.

Thank you for your time, cott Russell

MTC-00015487

From: Harry Dellicker
To: Microsoft ATR
Date: 1/23/02 9:20am
Subject: Microsoft Settlement
To whom it may concern,

I am very concerned about the proposed settlement of the Microsoft antitrust case. PLEASE do not let Microsoft "off the hook" with a simple slap of the hand. This company has been playing dirty for years now. I am totally incensed about their tactics used in squashing Netscape. The Netscape browser is a good piece of software (unlike that security nightmare MS calls Internet Explorer). I believe Netscape could have remained a viable company had it not been for the illegal tactics of Microsoft.

Having been emboldened by the weak response of the government, Microsoft's latest bombshell is a new subscription software scheme whereby they will require companies to pay an annual subscription cost of 29% of the original purchase price of their software licenses. If they choose not to participate, future upgrades will not be possible; they will have to buy all NEW licenses any time they want to "upgrade". In the past we have been able to purchase upgrades at a reduced, upgrade price if and when we felt like it. This is extortion, pure and simple. Microsoft thinks they can get away with it simply because they are virtually the only game in town.

Microsoft has also been guilty for years of putting out poor quality software with little concern for security. We all pay for this every time there is another virus attack which takes advantage of yet another Microsoft software coding error. Please, Microsoft needs more accountability; not less. We need a judgment against Microsoft which is truly meaningful.

Sincerely,
Harry Dellicker
Covington, WA

P.S. While I am at it, we also need to change the laws so that companies can sue a software vendor for damages which can be directly attributed to negligence on the part of the software vendor. Only then will these companies start taking security seriously.

Yes, I know about Mr. Gate's new security initiative. I will believe it when I see it. And of course, if and when they have something ready, I'm sure they will be happy to SELL it to us.

MTC-00015488

From: Dan Larsen
To: Microsoft ATR
Date: 1/23/02 9:21am
Subject: Microsoft Settlement

I am against the proposed final judgment in US vs. Microsoft. I feel the damage Microsoft has done to the software and OS marketplace is incalculable, and the proposed settlement does little to correct it. I don't feel the settlement levels the playing field for competing operating systems or office software, and would like to see a much stronger penalty imposed. The proposed settlement does not sufficiently relieve Microsoft of the ability to leverage hardware and computer manufacturers unfairly against competing products, nor does it adequately open the Windows API to programmers.

Dan Larsen
Software Developer
Invision Software, Inc.
110 Lake Ave. South Suite 35
Nesconset, NY 11767
631-360-3400 x124
631-360-3268 fax

MTC-00015489

From: Brian M. Fisher
To: Microsoft ATR
Date: 1/23/02 9:20am
Subject: Microsoft Settlement

To whom it may concern,

I think that the proposed settlement with Microsoft is an extremely bad idea and probably would be the largest miscarriage of justice that this country has ever seen.

Sincerely,
Brian Fisher
Brian M. Fisher
Dept Physics and Astronomy
Univ North Carolina at Chapel Hill
Chapel Hill, NC 27599-3255

MTC-00015490

From: Chris Edwards
To: Microsoft ATR
Date: 1/23/02 9:20am
Subject: Microsoft Settlement

I would like to address the Propossed Final Judgment by saying that I feel that as it currently stands, it would not diminish the barrier to entry for Intel/x86-Compatible PC operating systems to compete with Windows. Much software that I use and maintain for my employment as a systems administrator is Free and Open Source Software which is clearly discriminated against by Microsoft and is not addressed in the Propossed Final Judgment.

I depend on software that must interoperate with Microsoft Windows Operating Systems. The developers of the software cannot fully interoperate with a Windows System unless Security APIs are available. By allowing Microsoft to keep document formats (an API) and Security APIs secret for their systems, competing operating systems, server software, and applications cannot interact effectively with Windows Operating Systems or compete against

Microsoft Products. I find that this is a fatal flaw in the Propossed Final Judgment and allows Microsoft to continue in their arrogant, heavy handed business practices.

In short, I feel that the Final Judgment is a step in the right direction, however, it is nowhere near complete. This judgement, as it currently stands, is not in the public interest.

Chris Edwards
Abingdon, Virginia

MTC-00015491

From: Jeremy Gilbert
To: Microsoft ATR
Date: 1/23/02 9:20am
Subject: Microsoft Settlement

To whom it may concern:

I am writing to urge you to be harsh with Microsoft. Go for the kill. Either fine them no less than their entire cash reserve (\$62 Billion at last count) or break them into no less than 5 pieces. (1. consumer operating systems 2. office productivity 3. enterprise operating systems 4. web server 5. database server) Their anti-competitive practices have hurt the software and computing industry more than could ever be known. The prices we pay for software from them (well, you pay, I stopped buying) is analogous to paying upwards of \$15.00 for a gallon of gas from Standard Oil. Free software is available that competes with all of their products, yet through either buying out their competitors or marketing them to death, consumers either no longer have a choice or don't know about their choices. Don't be soft with them. They have been found to be in violation of anti trust law, so now is not the time for weak settlements.

Sincerely,
Jeremy Gilbert

MTC-00015492

From: Andrew Whitcroft
To: Microsoft ATR
Date: 1/23/02 9:21am
Subject: Microsoft Settlement

Dear Sir/Madam—

I am writing to let you know that I think the proposed Microsoft settlement is a BAD idea. This proposed settlement is no more than a token punishment for Microsoft! Please do NOT allow this monopolist to continue their predatory practices. It is important that the software industry be allow to be creative and innovative, without fear that the 800 pound gorilla (IE. Microsoft) will squish them into non-existence!

I believe that Judge Penfield's finding are correct, and that anything less than the strongest possible penalty allowed by law, will be meaningless to Microsoft.

Thank you for time in this matter,
Andrew Whitcroft

MTC-00015493

From: Robert Del Huerto
To: Microsoft ATR
Date: 1/23/02 9:26am
Subject: Microsoft Settlement

Please reconsider the proposed settlement with Microsoft. It does not do enough to prevent Microsoft from continuing its anticompetitive actions. Please contact me if you should need further comment.

Thanking you in advance,

Robert Del Huerto
MIS Coordinator
Laredo, TX

MTC-00015494

From: Jeremy Hise
To: Microsoft ATR
Date: 1/23/02 9:21am
Subject: Microsoft Settlement

Please demonstrate that the US government can't be bought by corporate America! Or is it too late? :

MTC-00015495

From: Chris Worley
To: Microsoft ATR
Date: 1/23/02 9:21am
Subject: Microsoft Settlement

Sir/Ma'am,

I find the proposed Microsoft antitrust settlement to be just short of an apology to Microsoft.

It will do nothing to stop their anticompetitive behavior. It will do nothing to spur competition in the software industry. It gives Microsoft carte blanche to continue to run roughshod over consumers and competition.

The media has well documented that every key provision in this settlement has an "opt out" loophole that allows Microsoft to continue it's anticompetitive behaviors.

The future of high technology is at stake. If you allow Microsoft to remain unchecked, then we are entering a new "dark ages" where a small minority will control the information vital to innovation. The part of the proposal I'm most concerned with is the "security" "opt out" in the "open protocols" section... "Security" has become a buzzword associated with terrorist acts, allowing Microsoft to portray competing vendor's software compatibility with authentication software as an act of treason. It's just not so. "Security through obscurity" has never stopped hackers with ill intent, it only keeps those being attacked "in the dark". It's much like human viri: we want to know what can infect us, how to keep from getting infected, how to detect the infection, and how to stop the infection (even if it can't be stopped). This information is key to our longevity. For example, the recent anthrax terrorist acts have shown that public information is critical to detection and cure, and the lack of information led to unnecessary infection (of postal workers) and panic among the uninfected, and did nothing to stop the perpetrator.

Software viri/worms require the same publicity to protect and inform the population.

I'm afraid Microsoft has negotiated this loophole in the settlement for a reason other than protecting consumers: they're stopping compatible products from competing under the guise of stopping terrorism. For example, a software package called "Samba" competes with Microsoft

NT file servers: file servers compatible with the protocols that provide you with your "network neighborhood". If Microsoft can hide the authentication protocol, then the competing file server software can't compete: if you have to have an NT server to authenticate users, then you might as well

use that server to serve files and not use Samba at all (IT departments, in order to simplify their task, would prefer not to run servers with different OSes). For Samba to compete, it must be able to perform all the necessary protocols for Microsoft's network file services. It's all or nothing; it does consumers and competition no good for only part of the protocol to be published. This is similar to their behavior with API's. By not exposing key OS interfaces, they've been able to create special "hooks" into the OS that only their applications can use, allowing their applications to have features that the competition can't have. It's the same old trick with a new twist, under the guise of "protecting consumers". This settlement is a ruse. It's a trap. And, the DOJ seems overly willing to fall for it, to the detriment of competition and consumers.

Chris Worley
Salt Lake City, Utah

MTC-00015496

From: Bob Ramsey
To: Microsoft ATR
Date: 1/23/02 9:21am
Subject: microsoft settlement

Let me begin by saying that I am appalled that any court would seriously consider Microsoft's proposed settlement. There are two main flaws with the "operating systems for schools" proposal. First is the way Microsoft will lie about the amount of money that it donates. Take for example a license for Office XP Professional. The Full Retail Price for this product according to Microsoft is 480 dollars. But the educational price that is paid by schools and students is only \$200. So Microsoft will claim that it is donating software worth 2.5 times as much as it would cost for a school to purchase, thus making the court and the Department of Justice look like fools for believing Microsoft. Again. And this does not take into account the discounts that are available with multiple purchases.

Second is the fact that this "punishment" will enable Microsoft to push its products deeper into the one niche market where there is still a viable competitor, Apple Computers. Apple has consistently courted the educational market better than Microsoft. A "punishment" of the sort outlined by Microsoft would enable them to oust their nearest competitor. Microsoft has broken the law. Microsoft has been found guilty of breaking the law. These are often two different things, so I want to emphasize that point. They are guilty and they have been found by a court of law to be guilty. They must be punished.

One potential way to punish them is to force them to take returns on their operating systems. It is impossible to buy a computer from a major OEM (like Gateway, Dell, Compaq, HP, etc.) without purchasing a copy of Microsoft Windows. And yet I never, not once, use that software. I format the hard drive and install Linux. I do not open the shrinkwrap, I do not accept the license of the Microsoft Operating System and I do not use it. And yet I can not, as it says on the license, return the software. Microsoft will not accept it because I bought the computer from Gateway. Gateway will not accept it because it is Microsoft software. As one part of their

punishment, I would force Microsoft to accept unopened OEM versions of their products.

I am sure you will hear many suggestions for punishing Microsoft, so I will limit my suggestions to the one above. There are many other good suggestions though, and I hope someone at the Justice Department does some justice. It's about time.

Bob Ramsey Computer Consultant II
ph: 1(319)335-9956 216 Boyd Law Building
fax: 1(319)335-9019 University of Iowa College of Law
mailto:robert-ramsey@uiowa.edu Iowa City, IA 52242-1113

For Hardware and Software questions, call 5-9124

MTC-00015497

From: Nick Walter
To: Microsoft ATR
Date: 1/23/02 9:28am
Subject: Microsoft Settlement

I'd like to comment that the proposed settlements do not in any way seem to provide any incentive for Microsoft to modify it's behavior or begin competing fairly. They still have closed API's, they can still use their monopoly position to leverage into new monopolies in related markets.

Nick Walter
Interact Incorporated
+1 402 476 8786 ext 365

MTC-00015498

From: Steve Domenico
To: Microsoft ATR
Date: 1/23/02 9:21am
Subject: Microsoft Settlement

I think the Microsoft settlement is bad news for consumers and competition.

Thank you,
Steve Domenico
1409 Courtesy Road
Louisville, CO 80027
stratcat944@qwest.net

MTC-00015499

From: tim@2kind.com@inetgw
To: Microsoft ATR
Date: 1/23/02 9:22am
Subject: Microsoft Settlement

I am writing to express great dismay with the proposed federal settlement of the Microsoft antitrust trial. Past behavior is a good indicator of future intentions, and Microsoft was sanctioned in the past for poor behavior and monopoly abuses. The sanctions did not achieve the goal of preventing the current round of offenses. This latest settlement is even worse. It practically encourages new abuses. The proposed settlement is INADEQUATE and UNJUST.

Without a substantial disincentive to further abuses, a public corporation (chartered to maximize shareholder value and net profits) is inexorably going to be pushed towards leveraging its monopoly or monopolies to prevent competition from eroding revenues. This is very simple. The only way to avoid a repeat performance is to encourage compliance via far-reaching consequences for breach, such as forced publication of APIs and source code for products found to be used to violate antitrust

statutes. It's hard to shoot a man without a bullet; it is difficult to leverage a monopoly without a product to do so. I would like to suggest some alternatives to strengthen the settlement. Internet Explorer was "integrated" in a spurious and demonstrably false fashion; Spyglass Software was thus deprived of millions of dollars in licensing revenue, despite proof that their licensed product (rebadged as Internet Explorer) was separable from the Windows operating system. This demands punitive action: repackaging of IE as a separate product. Also, the abusive licensing practices of Microsoft will not be ended by the proposed settlement. OEMs will be crushed by other avenues if they defy Microsoft, as has been the case in the past. Given the near-total monopoly held by Microsoft in this market, ALL OEM RESTRICTIONS OTHER THAN INTELLECTUAL PROPERTY STIPULATIONS should be held as null and void in future Windows Operating System EULAs. Finally, all APIs for operating system functions that interact with other computers on a network or workgroup should be made public, and that public documentation enforced by law, with penalties for non-compliance including full publication of the relevant source code in the event of a deliberate obfuscation or non-publication. Perhaps then, stiffer competition will push the entirety of computing forward at a faster pace, and if Microsoft truly is worthy of being the largest and most powerful company in the field, we shall witness this as a result of innovation and invention, rather than illegal stifling of competing technologies (often those with the greatest promise for all). I do not begrudge Microsoft their success; I begrudge them breaking the law and receiving a slap on the wrists (AGAIN!) as punishment.

Yours truly,
Tim Triche
1233 Maryland Avenue, NE
Washington, DC, 20002

MTC-00015500

From: riley@wt6.usdoj.gov@inetgw
To: Microsoft ATR
Date: 1/23/02 9:22am
Subject: Microsoft Settlement

I have been following with dismay the Microsoft antitrust case and think the proposed settlement is a bad idea. The United States Government was originally a protector of the people but has increasingly been moving towards keeping corporations happy and prosperous. Consider this tax-paying, voting consumer unhappy.

Regards,
William L. Riley
riley@technologist.com

MTC-00015501

From: Ben Loftis
To: Microsoft ATR
Date: 1/23/02 9:22am
Subject: Microsoft Settlement

I have read about the proposed settlement, and I am not in favor of it in its current state. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors.

Ben Loftis
301 Honey Ct
Nolensville, TN 37013

MTC-00015502

From: Mike Bush
To: Microsoft ATR
Date: 1/23/02 9:22am
Subject: Microsoft Settlement
To Whom It May Concern:

I have a number of disagreements with the proposed settlement, but one in particular I find unacceptable is the definition of "Timely Manner". In my opinion, delaying the release of what will most likely be critical and complicated API information to competitors until after Microsoft has had the opportunity to expose their product to more than 150,000 potential customers is not being competitive. I believe new API information should be provided to Microsoft's competitors much earlier in the development cycle, and an ongoing flow of information regarding API changes and additions should be established.

Thank you for your attention.
Michael Bush
4141 N. Henderson Rd. #1018
Arlington, VA 22203
mike@lizandmike.com

MTC-00015503

From: Sebbo
To: Microsoft ATR
Date: 1/23/02 9:22am
Subject: Microsoft Settlement
Dear Sirs—

As a former user of the now-defunct Be Operating System(BeOS), I was very unhappy that Microsoft was able to abuse its influence on OEMs to prevent my being able to purchase a computer with BeOS preinstalled. This blatant suppression of competition clearly stifles trade and prevents innovation.

Microsoft should be banned from making *any* deals with OEMs that stipulate behavior not directly related to their software. Given Microsoft's record of attempting to violate or circumvent previous such restrictions, the full text of all Microsoft OEM agreements should be publicly available.

Yours,
Sebastian Banker

MTC-00015504

From: Ian Callum
To: Microsoft ATR
Date: 1/23/02 9:22am
Subject: Microsoft Settlement

I oppose the Microsoft settlement because I believe it does not do enough to prevent Microsoft from using its dominant position in the OS to put competitors out of business. Look at what they tried to do to Kodak recently. Microsoft originally set up XP so that Kodak digital camera software would not run under XP. Only after Kodak threatened suit did Microsoft back down. Kodak is a large company with legal resources at their disposal, so they are able to fight back against this illegal behavior, but smaller companies might not have that option. Microsoft have behaved like gangsters, using extortion and intimidation to destroy business rivals. They cannot be allowed to continue in this

manner, and the settlement does little to rein in their criminal behavior.

Yours,
Ian W. Callum

MTC-00015505

From: Ryan Roehrich
To: Microsoft ATR
Date: 1/23/02 9:22am
Subject: Microsoft Settlement

I just wanted to write in my support against Microsoft in your case against them. In my opinion the US Government has gone way to soft on Microsoft. As we progress as a country, one of the things we need to do to stay on top it to keep developing our technologies so they are better than any other. Microsoft stands in the way of this by having a monopoly and using that monopoly to stifle competition in any way possible. Many businesses have had to close because of Microsoft's monopoly. Some of these businesses could have come up with advances in the field that make sure the US is still ahead of everyone else but are now unable to do that. On a personal note, I am employed as a Unix Administrator. If Microsoft had their way my job, which I have stuck years of training into to, would be eliminated. I have a wife and 2 young children that depend on me solely for financial support. Why should one company, because of their monopoly, have a say on whether I will have a job in the future?

Please think and decide with common sense on this issue, not political donations and lobbyists. Thank you.

Ryan Roehrich
14224 Patrick Ave
Omaha NE 68164

MTC-00015506

From: George, Mark
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 9:22am
Subject: Microsoft Settlement

I have been a Computer Programmer for the last 10 years and I do NOT agree with the settlement proposed by the Justice Department. It is too soft on the Microsoft behemoth that they are. Plus, the "punishment" is not immediate, Microsoft gets one year to "modify" their behavior after this is approved. They have had 5 years to "modify" their behavior. Here is how I see it.....

If I were to start burning down our forests...and we have laws protecting our forest. I still burn it anyways. The Justice Dept. comes in and says "Stop!" But I say, I am behaving normally, I should be able to burn all I want. I am going to appeal this law of burning down trees. And while I drag the justice system through the courts for 3+ years, I am still going to burn down the forests. So, after years and years of burning the forest down, and proof that I was acting illegally....I reach an agreement with the Justice Dept. I am no longer allowed to use matches (after one year of reaching the agreement). I pay no fines, I don't have to replant the forest, the lives that were involved with the forest burning....nothing.

Jalute
Mark George
Application Developer

St. Petersburg, Florida

MTC-00015508

From: hal King
To: Microsoft ATR
Date: 1/23/02 9:24am
Subject: Microsoft Settlement

I stand against the Microsoft settlement. It allows Microsoft to police themselves. After the recent Enron mess, the DOJ can not sit by without acting in the public good. Microsoft's cost of software it claims to be donating is zero! All it will cost them is the price of the packaging. Also by "donating" their software, they are in fact marketing to children.

Please do not let Microsoft get away without punishment.

Hal King
Unix System Group / The University of Tennessee at Knoxville
pgp key <http://web.utk.edu/hck/hal.asc>

MTC-00015509

From: Tony Beauregard
To: Microsoft ATR
Date: 1/23/02 9:19am
Subject: Microsoft Settlement

I would respectfully like to suggest that the public and the country are not served by the current proposed settlement to the Microsoft Antitrust trial.

The restrictions put on Microsoft to stop a repeat of the events that have led up to this trial are insufficient and easily circumvented by a company of their size.

Please reconsider and find a settlement that will help the consumer and the industry. Thank you,
Tony Beauregard
San Antonio, Texas
Manager, Software Development Center

MTC-00015510

From: Josh Wills
To: Microsoft ATR
Date: 1/23/02 9:23am
Subject: Microsoft Settlement

To Whom it May Concern:

I am a software engineer for the IBM Corporation. In addition to the work I do for IBM, I also work in my free time on several different open source software projects. I am writing you today to comment on the settlement agreement the DOJ has reached with Microsoft.

As you know, IBM is one of the OEMs that uses Microsoft's operating system in the computers we manufacture. IBM is also one of the leading proponents of the Linux operating system, an open source alternative to Microsoft on the x86 hardware platform. My concerns with the Microsoft settlement revolve around three fundamental issues: Microsoft's relationship with OEMs, the availability to ISVs of Microsoft's APIs, and the enforcement of this settlement.

There are alternatives to the Windows operating system, and the settlement needs to take into account the fact that OEMs must have the right to ship computers that do not contain any copy of Windows. Please amend section III.A.2 with this option, so as to prevent Microsoft from including this in their contracts with OEMs.

Microsoft's APIs should be fully standardized, documented, and available to

the public. The ONLY party that benefits from Microsoft's ability to evaluate the "business plan" of companies that seek access to the APIs is Microsoft. It will enable them to control the market for software for years in the future by dragging their feet in evaluating companies, or dismissing requests for access to the APIs for spurious reasons. I do not see this option as punishing Microsoft as much as it benefits consumers, who would finally get the competitive market for software that they so richly deserve. Releasing the APIs to the public would create an intellectual property commons that would spur a new era of development and creativity in the software industry, much as the Internet did, with the consumer as the beneficiary.

I strongly feel that Microsoft should have no say in who oversees it during its punishment. Microsoft, as a repeat offender and unrepented monopolist, has lost that right. I strongly suggest that the court appoint a single "Master" who can manage and assist the court with overseeing Microsoft. Placing control in a single authority, chosen by and responsible to the court, is the only way that we can even remotely ensure that Microsoft complies with the remedies proposed in the settlement.

I thank you very much for your time, and I pray that wisdom and the spirit of justice will guide you into making a decision that properly benefits all of the victims of Microsoft's monopoly.

Sincerely yours,

Josh Wills

12440 Alameda Trace Circle #2031

Austin, TX 78727

The threads of circumstance that lead to tomorrow are so tenuous that all the fussing and worrying about decisions is futile compared to the pure randomness of existence.

-Nick Bantock

MTC-00015511

From: Bryan Ericson
To: Microsoft ATR
Date: 1/23/02 9:27am
Subject: Microsoft Settlement
Dear Sir or Madam

The settlement proposed by Microsoft in its recent dealings with the U.S. Dept. of Justice is insufficient punishment. If allowed, it will only further Microsoft's monopoly, and will not in any way remedy the harm it has caused to the marketplace and to consumers. I believe a proper remedy involves requiring Microsoft to make public some of its closed standards. I refer you to the following URL as a fair proposal for a proper remedy: <http://www.gnu.org/philosophy/microsoft-antitrust.html>

Thank you.

Sincerely,

Bryan Ericson

MTC-00015512

From: Carl Marshall
To: Microsoft ATR
Date: 1/23/02 9:24am
Subject: Microsoft Settlement

Instead of spewing forth the same arguments that have been thrown back and forth before, just let me say I'm opposed to this anemic settlement the DOJ has proposed.

Carl Marshall
Madison, TN 37115

MTC-00015513

From: Jeffrey Quinn
To: Microsoft ATR
Date: 1/23/02 9:24am
Subject: Microsoft Settlement

To whom it may concern,

Following September 11th I have pondered much over my status as an American Citizen. For the sake of brevity, allow me to state that there are many aspects of this country that I truly love, but also many that I find inappropriate. This settlement is one of them. It is repulsive to me that a company, by using backhanded and even immoral means, should be allowed to continue without so much as a slap on the wrist. If justice here fails, then we shall only prove that money buys everything; even justice, and our ideals of truth and freedom are compromised. I for one do not wish to live in the United States of Microsoft, or the United States of any other megacorporation.

The real trial isn't about a browser, or an oversized, gargantuan company. The real trial is about the freedom to innovate and freedom from control. If innovators are restricted to what Microsoft dictates, then we shall have no real innovation. It is my hope that there are better, stronger things in this world than greed. I have seen that in the open source movement, and such things bring peace to my heart. Please don't let greed be rewarded any longer, and let justice be served as it should be: with an open, objective mind and not wallet.

Sincerely,

Jeff Quinn

MTC-00015514

From: Ryan.Headley@cunamutual.com@inetgw
To: Microsoft ATR
Date: 1/23/02 9:23am
Subject: Microsoft Settlement

To Whom It May Concern:

Microsoft currently has a stranglehold on the current computing market which is limiting the end user's choices. I have been in the computing industry for a mere seven years but in that time I have seen several Operating systems start their decline.

Apple: Once very prominent and competitive, they now have little presence in the world. While this is partly their fault due to their business model, it is at such a point now that should Apple ever decide to change their marketing, they would be completely and utterly "wiped out". Netscape: What was once the most popular browser anywhere is now virtually NON-EXISTANT due to Microsoft's, "bundling" tactics. Novell: What was one of the worlds most reliable, stable, and popular network operating systems has nearly disappeared in my area. Microsoft has everyone believing that they have a better product. The only reason their product can be considered "better" is because their software will only run on Windows forcing people who may want to use some of their other products into using their less than par OS to run their networks. I've worked with Novell for 5 of those seven years, right along side of windows. The two compliment each

other very well, but from a standpoint of stability and security, Novell was far above and beyond the level that Microsoft is currently at 5 years ago.

Microsoft has proven time and time again, that nothing is their own. Windows was TAKEN from Apple/(Xerox), Active Directory Services was BORROWED from Novell's Directory Services, and C#/ .Net was copied from Sun's Java and J2EE standards.

One has only to look at the source code for Java and C# to see that it is technical plagiarism. We do not stand for PLAGIARISM anywhere else in the business world, why should we on technology?

One has only to setup and administer NDS (Novell Directory Services) and ADS (Active Directory Service) to see that what Microsoft has come up with for a network structure as "new technology" has been around since 1995!! And finally, lets be honest with ourselves, if it wasn't for Steve Jobs and Apple, would the world even know what a GUI (graphical user interface) is? I can tell you, that working in the environment even this short period of time, Microsoft has proven its inferiority to me over and over again. My current environment sees its Windows servers crash 50 to 1 when compared to Netware and that statistic has even a larger gap when compared to our Unix servers.

In conclusion, if Microsoft is allowed to continue down its current path, the Corporate world as well as the common public would not only be subject to inflated prices, but inflated prices for a lesser quality products. The American dream? I don't think so. Perhaps if Microsoft were at least forced to develop their software for multiple platforms (not just MSOffice, but networking solutions as well), there will still be some freedom of choice left over at the end of this road.

MTC-00015515

From: Derek Williams
To: Microsoft ATR
Date: 1/23/02 9:23am
Subject: Microsoft Settlement

Dear People,

I am extremely disturbed by the proposed settlement in the Microsoft Antitrust Case. I have many concerns about the current and future behavior of Microsoft which I do not believe will be addressed by this settlement.

My primary concern is the monopoly position that Microsoft is seeking to garner in the sphere of network services. This monopoly position is being obtained through the "innovation" of including client services as part of the XP operating system that work only with Microsoft servers and services. The protocols used by Microsoft are proprietary, and predatory in nature and do not seek to allow developers to innovate themselves. This, in addition to Microsoft's extremely poor security and system uptime record, especially recently, should serve to warn us all that our abilities to purchase products, exchange information and to be secure in the knowledge that our personnel records are kept private are all at risk. This goes directly to Antitrust as much as monopolizing rail lines or airline routes, it will impede our economy to a large extent, and allow other nations, who are taking a more reasoned

approach to Microsoft, to prosper while the United States becomes captive to a Microsoft run internet. The proposed settlement will not impede Microsoft's ability to acquire and abuse a monopoly on internet services.

Other systems and protocols have been built, deployed and tested for years. These protocols started with an emphasis on security from their inception, and are currently the favored protocols used by a large percentage of developers. In addition, these systems and protocols continue to be developed in an open standards based fashion which receives inputs from many sources. Many of these systems are already being encouraged by other nations, including the purchasing of non-Microsoft operating systems by universities, corporations, and the governments of these nations. This allows these nations to use the already existing secure and safe protocols that are in place. Allowing Microsoft to continue "innovating" and crushing other technologies by "integrating" these services into the operating system itself (considered poor practice by developers not in the employ of Microsoft) will put the United States at a distinct economic disadvantage. It is interesting to note that many of the secure operating systems are a fraction of the cost of Microsoft operating systems and allow organizations to spend IT resources on additional services and hardware, further improving the technological capacity of the economies in which these operating systems are deployed. Please take a more reasoned and rational approach to the Microsoft Antitrust settlement. Our Nation's economy and Security is at stake, Microsoft's prosperity is not.

Sincerely,
Derek J. Williams
IT Director
RLE Technologies
208 Commerce Drive
Fort Collins, CO 80524
www.rletech.com
President
Mountain Online Monitoring
416 Peterson St.
Fort Collins, CO 80524
www.mountainmonitoring.com

MTC-00015516

From: Jadrian Johnson
To: Microsoft ATR
Date: 1/23/02 9:23am
Subject: Microsoft Settlement

To Whom it May Concern (and the outcome of this case concerns everyone in America who touches a computer, so listen up!)...

Microsoft's business practices are hurting the field of computer software. Their monopolistic practices should be stopped before the entire e-public is drawn completely into their unfair business practices. Don't let Microsoft victor again over the rest of us.

Jadrian Johnson

MTC-00015517

From: Mark W Brehob
To: Microsoft ATR
Date: 1/23/02 9:17am
Subject: Microsoft Settlement

Why I believe the proposed settlement with Microsoft should not be allowed to go forward: The settlement doesn't force the company to stop doing actions that eight federal judges found illegal. It provides no real penalty for the illegal acts. Telling Microsoft to "play fair" has never worked in the past.

Giving computer makers more freedom—is— a useful result. A few weeks ago I ordered a computer from Dell. I wanted a machine which either ran Linux or Windows 2000. They did sell a Linux box, but not in a useful configuration for my purposes. They had exactly zero Windows 2000 boxes. XP is buggy and not yet supported by my workplace (due to security concerns) but I had to buy XP anyways. I'll need to install an older version of windows on top of that.

But even so, Microsoft must be punished for their illegal actions, otherwise others will feel free to ignore anti-trust laws. I personally would suggest a—large— fine (20+ billion) and that most of that money be used to fund open source software development—

Microsoft's largest competitor. I'm certain a non-profit organization could be formed to do just that.

A small wrist slap, and a mumbled promise from Microsoft not to sin again is clearly insufficient.

Thank you,
Mark Brehob
Lecturer in Electrical Engineering and
Computer Science
University of Michigan
Ann Arbor Michigan

MTC-00015518

From: Nathan Neulinger
To: Microsoft ATR
Date: 1/23/02 9:24am
Subject: Microsoft Settlement

My view on the settlement is very simple—microsoft's practices have prevented me as an independent developer from writing software that can either compete or interoperate with servers that they have written. The settlement does nothing to help this, and in fact, seems to legitimize MS's discrimination against non-microsoft products. Any solution/settlement/etc. that provides less than the capability for full interoperability (i.e. FULL documentation of ALL microsoft network protocols) is worthless to me.

I'd also agree with the requirement for full documentation of any microsoft file formats. And please don't fall for the "We're changing the format to XML nonsense", cause microsofts idea of changing the file format's to XML looks something like this:

Old Format:

Beginning of File:
UNDOCUMENTED—BINARY—BLOB
End of File:

New XML Format:

Beginning of File: <OfficeDoc
Version=XP>UNDOCUMENTED—BINARY—
BLOB</OfficeDoc>

End Of File:

Sure, it's completely legal XML, it's also completely worthless since you can't use it.

I am a Systems Administrator for the University of Missouri—Rolla, and while we are a significant microsoft campus, that does

not mean we are happy with the situation. We are CONSTANTLY having to develop nasty workarounds to microsoft interoperability problems because we also have a sizable Unix (HP, Sun, and Linux) infrastructure. I'd hope that whatever solution y'all come up with makes it clear that Microsoft cannot discriminate against free and open-source software just because they are a competitor.

—Nathan Neulinger
EMail: nneul@umr.edu
University of Missouri—Rolla
Phone: (573) 341-4841
Computing Services
Fax: (573) 341-4216

MTC-00015519

From: Darien Graham-Smith
To: Microsoft ATR
Date: 1/23/02 9:24am
Subject: Microsoft Settlement

I am not a US citizen; but Microsoft's behaviour affects the British IT industry just as directly as it does the domestic market. I write therefore in hope of registering my belief that the proposed action against Microsoft is nowhere near sufficient to restore balanced competition to the IT marketplace, either in the US or further afield.

Sincerely,
Darien Graham-Smith MA (Cantab.)
103a Melfort Road
Thornton Heath
Surrey CR7 7RX
ENGLAND

MTC-00015520

From: David Jacques
To: Microsoft ATR
Date: 1/23/02 9:24am
Subject: Microsoft Settlement

I have been a computer professional for over 15 years. What I have heard as to the proposed settlement of this case is absurd. Punishing Microsoft by allowing them to "donate" their software to schools and thus reinforcing their monopoly is unjustifiable. To me this smack of the government being corrupt. I have a very hard time believing that you think we are so stupid as to think this concept is a remedy. Therefore I just have to assume that somebody is getting paid off and does not care how bad it all looks. I had a glimmer of hope that the government worked when microsoft was found guilty of being a predatory monopoly. I have had to give away hundreds of hours of free technical support because of this terrible company. I have watched dozens of companies be destroyed by their tactics. Every time I have bought a computer I have had to contribute to their war chest. Do the right thing please the thought of living in MS/America whose capital is MS/Washington B.G. ("bill gates") turns my stomach but that is what you seem to be wanting. History will remember this decision and those who made it. Rockefeller would own this country if our government had not acted properly. Now it is your turn.

MTC-00015521

From: Daniel Hauck
To: Microsoft ATR
Date: 1/23/02 9:25am
Subject: my vote

I am not in favor of current actions and reactions. Many times our government has been forced to intervene on the public interest's behalf over that of major corporate interests. It is part of the government's constitutional duty to enforce its own laws on behalf of its people. It is part of the government's constitutional duty to promote the general welfare. Microsoft had been judged already. Through their actions, past, present and PLANNED FUTURE actions, they are breaking current law. As such, I feel they are not only responsible to the public, but responsible criminally and in contempt of court as they have failed to cease many such practices as stated in various summaries. (Imagine a court's reaction if I were guilty of some form of electronic fraud and yet to be sentenced only to find that I continued to operate in the same manner in spite of the fact that I have been found criminally guilty?) Microsoft's impunity speaks volumes suggesting that this giant is out of control and simply requires major reconstruction to prevent it from ever happening. No amount of "oversight" will be effective because they are persistent and consistent when delivering attempts to squeeze through the cracks in various situations—a perfect example was the premature release of WindowsXP series of operating systems. They knew it was a rush to get that genie out of the bottle before judgement or settlements could be made...all this in spite of the fact that WindowsXP persists in containing evidence of NO CHANGE in spite of their being found criminally guilty of antitrust law in the way they have packaged their software. Again, Microsoft's true colors show brighter than their rhetoric. And contrary to some common belief, I do not foresee further drop in the economy because of this. The same arguments were made regarding the great oil company split ups as well as the phone system. The fact is, I have not seen ANY ill effects resulting from this, and on the contrary, have managed to truly serve their purposes.

My vote is for preventative measures that do not require oversight. SPLIT the company up so that they are barred from using its OS monopoly to leverage other markets unfairly.

Thank you,
Daniel S. Hauck
3737 Brookhaven Club Drive #343
Addison, TX 75001

MTC-00015522

From: Chad Lumpkin
To: Microsoft ATR
Date: 1/23/02 9:25am
Subject: Microsoft Settlement

As an Electronic Technician having worked with Microsoft and competing products for over 10 years. And having read the proposed settlement between Microsoft and the DoJ. I formally submit my disapproval of said settlement based on the following information.

1) The proposed settlement is very similar in word and substance to an agreement made by Microsoft and the DoJ in 1995. Had that agreement been successful there should not have been a need for new remedies.

2) the settlement does not require the full disclosure of the API's needed for 3rd party

software companies to create products that can compete on an even footing with microsoft products.

3) the settlement does not require the document formats used to be opened. If there is to truly be competition on the desktop there must be a common language.

Chad Lumpkin
IT Consultant
chad_lumpkin@yahoo.com

MTC-00015523

From: Codepunk
To: Microsoft ATR
Date: 1/23/02 8:36am
Subject: Microsoft Settlement

I am a windows developer and I would like to submit this letter of disapproval to the suggested remedy. During the web browser wars I saw for myself just how ruthless Microsoft's monopoly power was applied. Microsoft needed to win the browser wars so they forced us to install Internet Explorer on almost every computer we deployed a application to. They used us the developer by unnecessarily linking IE into any development code they possibly could, they also put key developer libraries into the IE distribution. If we tried to deploy any application that we had built with Microsoft tools it required us in some way to install Internet Explorer. Microsoft in the proposed judgment is not being punished in the least for it's predatory behavior against Netscape corporation. The court must do the right thing for the people and impose stricter penalties. Please do the right thing for us the people by not accepting the proposed judgment. All business's today are in a perpetual strangle hold by Microsoft and there are no good alternative solutions. The alternative solutions do not exist because the barrier to entry is to high. Competition will never be restored in the market place unless severe restrictive penalties are imposed on Microsoft.

The economy today is in a horrible state, and I personally believe this is due to Microsoft's dominance of the software market. We are now in a situation where one monopoly company automatically consumes most of customer budgets. Restoring competition in the market place will create incredible growth and with this comes new jobs. As I type this letter I am on a broadband based satellite connect provided by a company partly owned by Microsoft. The company will of course support no other operating systems besides windows. It is my desire not to run Windows and or Internet Explorer please help me to have the ability to choose the environment that I run not be forced into it by a monopoly.

Cliff Baeseman
Software Developer

MTC-00015524

From: Jeff
To: Microsoft ATR
Date: 1/23/02 9:25am
Subject: Microsoft Settlement

I do not think that the remedies proposed in the Microsoft case are adequate.

Jeff Thomas
jeff@severus.org

MTC-00015525

From: Tom Rockwell
To: Microsoft ATR
Date: 1/23/02 9:26am
Subject: Microsoft Settlement

Dear Sirs,

I am writing to express my concern that the Proposed Final Judgement in the Microsoft antitrust case does little to punish Microsoft for its illegal behaviour and does not take strong enough action to ensure innovation and competition in software products going forward. Microsoft's illegal behaviour has harmed companies such as Netscape, Real Networks, and computer hardware OEMs. Consumers have been harmed by Microsoft's secret licensing contracts with OEMs that require the OEM to pay for a Microsoft license for every PC they sell—even if the final end user with use a competing OS such as Linux. Microsoft's profits have been enhanced by billions of dollars due to this illegal behaviour, yet the PFJ has no punishments for these actions. The PFJ does not layout a workable and strong mechanism for ensuring that Microsoft with stop their illegal behaviour. The Technical Committee has limited and weak powers to stop anticompetitive behaviour. It is crazy that Microsoft is allowed to appoint one of the three members of the TC. Either the court or the DOJ should appoint all members of the TC.

The PFJ does not adequately address the behaviours that Microsoft engages in to protect its monopoly against open source competitors such as Linux and Samba. By breaking interoperability with these competing products, Microsoft acts to protect its monopoly. Computer users have been greatly harmed and endured large expense (estimated in the billions of dollars) due to security weaknesses in Microsoft products. Microsoft's monopoly has prevented competition in the markets—competition that would likely favor more secure OS products. I see the PFJ as doing nothing to punish Microsoft for its illegal behaviour and letting it off with a mere promise to stop the behaviour in the future. This is not good enough to protect the rights of Americans. The DOJ has in the past reached consent decrees with Microsoft that were supposed to end its illegal behaviour. The decent decrees were all but ignored by Microsoft and led to the current lawsuit. The appearance is that the DOJ is not effectively prosecuting Microsoft.

Sincerely,
Tom Rockwell
Lansing, MI

MTC-00015526

From: Suman Karamched
To: Microsoft ATR
Date: 1/23/02 9:26am
Subject: Microsoft Settlement

I think that Microsoft has too much dominance in the software world. I believe that settlement is a bad idea. Microsoft needs to be punished. "Once I did bad and that I heard ever. Twice I did good, but that I heard never."

MTC-00015527

From: Malcolm K. Gin-Hopwood y Silva

To: Microsoft ATR
Date: 1/23/02 9:26am
Subject: Microsoft Settlement

Greetings,

Thank you for your efforts trying to forge settlement with Microsoft to prevent their unduly biasing American technological business. Unfortunately, I disagree that the Proposed Final Judgement will adequately address the extreme measures Microsoft has made a daily part of its business dealings. I think the PFJ is simply inadequate to the task, and I urge you to consider the points made in Dan Kegel's (et al.) open letter regarding the settlement (at <http://crossover.codeweavers.com/mirror/www.kegel.com/remedy/letter.html>).

Sincerely,
Malcolm Gin
malcogin@allegisgroup.com
perigee@acm.org
Home contact information:
5310 Cedar Lane, #206
Columbia, MD 21044
Phone: 410-884-0988

MTC-00015528

From: mark rauschkolb
To: Microsoft ATR
Date: 1/23/02 9:26am
Subject: Microsoft Settlement

I do not feel that the proposed settlement will solve the problem, nor will it prevent Microsoft from continuing to follow monopolistic practices. The settlement is full of "legalese" that has been carefully crafted with definitions and provisions that, on the surface look like they do one thing, but when you look at the real issue, find out that they do something else. Many of the definitions are too narrow to apply to many current Microsoft products, while minor modifications to other products will remove them from the list of items "covered" by the settlement.

Mark Rauschkolb
New Jersey

MTC-00015529

From: Scott Fiddelke
To: Microsoft ATR
Date: 1/23/02 9:27am
Subject: Microsoft Settlement

I've read about the proposed settlement, and I am not in favor of it in its current state. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors, yet unfavorable to Microsoft.

Thanks,
Scott Fiddelke
965 Boston Way #4
Coralville, IA 52241

MTC-00015530

From: sneed snodgrass
To: Microsoft ATR
Date: 1/23/02 9:27am
Subject: Microsoft Settlement

NO to the Microsoft settlement. It is an insult to the free peoples of the world!

Sneed Snodgrass
Waterloo
Ontario
Canada

MTC-00015531

From: Michael Vitalo
To: Microsoft ATR
Date: 1/23/02 9:18am
Subject: Microsoft Settlement

This settlement for the Microsoft case is horrible. I think it is a bad idea and that Microsoft is getting away free if you go through with it. It would be better to punish Microsoft. One way to accomplish this is with a multi-billion dollar fine. I believe that half of their 36 billion in cash is certainly appropriate given the amount of damage they have done.

Thank you for your time,
Michael Vitalo
Software Developer
Austin, Texas

MTC-00015532

From: Dennis Anderson
To: Microsoft ATR
Date: 1/23/02 9:28am
Subject: Microsoft Settlement

Dear Sir or Madam,
I believe that the current settlement proposal is a bad idea. The Operating System industry must be opened to serious competition. People must have the freedom to choose, it is the very foundation of our society.

Thank you,
Dennis Anderson

MTC-00015533

From: Keith Blackwell
To: Microsoft ATR
Date: 1/23/02 9:27am
Subject: Microsoft Settlement

The proposed Microsoft Settlement is bad.

MTC-00015534

From: Garnet Ulrich
To: Microsoft ATR
Date: 1/23/02 9:27am
Subject: Microsoft Settlement

This proposed settlement is ludicrous. Please put the screws to Microsoft now.
Garnet Ulrich
TRM Technologies
613.722.8843x112
Quantum materiae materietur marmota monax si marmota monax materiam possit materiari?

MTC-00015535

From: Billy Harvey
To: Microsoft ATR
Date: 1/23/02 9:27am
Subject: Microsoft Settlement

This is a bad settlement. 90% of Microsoft's value is due to its continued predatory business model. Distribution of their own software a situation that only applauds their anticompetitive attitudes, and serves to strengthen their position for their next (and even their ongoing) attempts to simply demolish any sort of competition. If Microsoft wants to distribute software, then the schools in question should be allowed to bill Microsoft for all the software they want that is of no financial benefit to Microsoft—for the next decade. Having to buy a few million copies of their competitor's offerings would encourage Microsoft to behave better in the future—but certainly not allowing

them to distribute their own software which costs them nearly nothing in additional expense after it's been initially created. Microsoft should be broken up into multiple companies (or liquidated), and all interfaces between those companies should be made to be public documents for existant software, and also for the next decade. If those companies can survive on their own, then bravo, but Microsoft should not be allowed to enjoy the benefits of the market share they gain through so many examples of theft.

Billy Harvey
Greenville, SC

MTC-00015536

From: Frank Papa
To: Microsoft ATR
Date: 1/23/02 9:28am
Subject: Microsoft Settlement

I am in favor of any decision which keeps government out of the affairs of private business. Whether or not Microsoft is a "monopoly" or whether or not it is "unfair" that they have been as successful as they are is irrelevant as far as government goes. Private businesses have a right to operate any way they choose as long as they are not physically hurting people or are deliberately defrauding people. Microsoft has done neither. Instead, what they have done is make a great series of products that has become the worldwide standard. In no way have they "harmed" the industry. Instead, they have singlehandedly brought the computer industry from a tiny niche in the early 80's, to one of the primary economic engines driving the US today. There certainly is no monopoly. A monopoly would imply that it is impossible for a competitor to make an entry into the market. This is clearly not the case. There have been many competitors that have successfully entered the marketplace using Linux and FreeBSD in just the past years.

Microsoft has harmed no one and defrauded no one. Therefore, the US government should stay out of it's and it's competitors private business affairs.

Frank Papa

MTC-00015537

From: Adam Holley
To: Microsoft ATR
Date: 1/23/02 9:18am
Subject: Microsoft Settlement

I feel that the proposed settlement is not sufficient in it's restrictions and is vague enough to allow several loop-holes. For example: In Section III.A.2. A computer that only runs a non-Windows operating system is not included. So, for OEMs that sell computers that only have one non-Windows operating system installed, they could be retaliated against.

There are several areas in Microsoft's EULAs that restrict users so that they may not use any Microsoft product in conjunction with any Publicly Available Software. This can serve no other purpose than to be anti-competitive, because it's restricts use based on competition, yet there is no restriction on Microsoft to remove this type of wording from their EULAs. Thank you for your time.

Adam Holley

MTC-00015538

From: Imad
 To: Microsoft ATR
 Date: 1/23/02 9:28am
 Subject: Microsoft Settlement[Revised text]
 Dear Sir or Madame,

I would like to take just a moment to share my views on the current proposed Microsoft anti-trust settlement. It is my opinion that the proposal, as it now stands, is a slap on the wrist—nay, a pat on the head—approach that fails to truly allow competition in those areas where Microsoft has abused its monopolistic powers.

First and foremost, Microsoft must be forced to make its APIs, file formats, and protocols totally and unconditionally open. As it stands, there is far too much ambiguity in the clause pertaining to this—as interpreter of the document, Microsoft can well claim that, say, Linux developers are not to have this information shared with them as they do not represent a commercial product. Likewise, there is too much leniency granted by the exclusion of remote Windows 2000 administration related protocols. Many of these protocols—SMB/CIFS, for example—are used indirectly for Windows 2000 remote administration but are also crucial for creating products that are interoperable with Windows 2000 server. The “Reasonable And Non-Discriminatory” licensing terms hurt Microsoft’s biggest competition—the open-source/free-software movement that has given us Linux, OpenBSD, Mozilla/Netscape, OpenOffice, KOffice, and the like. All standards, API calls, protocols, etc. MUST be open for these valued members of the software community.

Futhermore, the document must be revised to remove the mess of loopholes that exist which allow Microsoft to obey the word of the settlement without conforming to its spirit of non-discriminatory behavior. As it stands, Microsoft can ignore much of the document as it is riddled with technical loopholes. For example, Microsoft is able to force PC makers to associate internet content with Internet Explorer, word processing documents with Microsoft Word, and the like—removing shortcuts doesn’t change the underlying behavior when a user clicks on a text document or an internet link. The three-member enforcement crew has two members picked or approved by Microsoft itself, nullifying any usefulness of the group, especially when coupled with the fact that none of the members are allowed to speak of the atrocities they see committed by Microsoft. For such a daunting task as looking over source code, a far larger group is required, but a team of 15 individuals (three picked by Microsoft, three by the Free Software Foundation, and the other nine picked by corporations such as IBM, Sun, and Oracle) could begin to work at such a job. The group’s [at least] weekly meetings should be transcribed for DoJ review, and any complaint supported by at least five members should be heard by the DoJ. Current litigation is absurd and meaningless, but could be salvaged by revising the terms of the settlement to preserve the spirit but allow less leeway to Microsoft, which has a history of twisting and disobeying court orders. Lastly, Microsoft’s non-operating system

groups must be either internally or externally separated so that they are not allowed “backdoor” entrance to the operating system; the Microsoft Office team should have the same information on operating system-related APIs and protocols as does the competition (e.g., Corel’s WordPerfect Office team, Sun StarOffice team, KDE’s KOffice team).

Thank you for your time.
 Best,
 Imad Hussain

MTC-00015539

From: Chris Fish
 To: Microsoft ATR
 Date: 1/23/02 9:23am
 Subject: Microsoft Settlement

I think the proposed settlement is a horrible idea. Microsoft has definitely engaged in monopolistic practices and this settlement only furthers their domination. As a consumer, I need choice in operating systems—don’t allow them extra opportunities to extend their power.

Sincerely,
 Chris Fish

MTC-00015540

From: David.Orgeman@born.com@inetgw
 To: Microsoft ATR
 Date: 1/23/02 9:25am
 Subject: Microsoft Settlement

I am writing to voice my opposition to the proposed settlement in the Microsoft case. I do not believe this settlement is sufficient to remedy the damages caused by Microsoft’s prior conduct, and do not believe it is sufficient to prevent much of that conduct from continuing.

David Orgeman

MTC-00015541

From: Mike Stortz
 To: Microsoft ATR
 Date: 1/23/02 9:28am
 Subject: Microsoft Settlement

The current proposed “settlement” does not address numerous and substantial issues concerning Microsoft’s monopoly on the computer operating system market. It’s time to let free market forces take effect, and to do that, Microsoft market forces (i.e. blackmail) need to be substantially moderated.

Thanks,
 Mike Stortz

MTC-00015542

From: Fumitaka Hayashi
 To: Microsoft ATR
 Date: 1/23/02 9:28am
 Subject: Microsoft Settlement

To whom it may concern:

I am vehemently opposed to the proposed settlement of the Microsoft Anti-trust Case. I feel strongly that Microsoft is an illegal monopoly which stifles the computer industry with illegal anti-competitive business practices. Please reconsider the settlement.

Thank you,
 Fumitaka Hayashi

MTC-00015543

From: Todd Derrenbacker
 To: Microsoft ATR
 Date: 1/23/02 9:30am

Subject: Microsoft Settlement

Hello,
 I wish to state my opinion that I am against the proposed settlement of the Microsoft Antitrust case. The monopoly power that MS has over the other competitors in the operating systems market is downright wrong. I have been using personal computers since the late 80’s (for, I am only 20 years of age) and know a great deal about the market and how it has been shaped by MS’s monopolistic practices. We’ll leave the new AOL-Time Warner monopoly alone for now. To save you time in reading my babble, I will agree with the essay written by Dan Kegel at this web address:

Thanks,
 Todd Derrenbacker,
 Lynchburg, VA

MTC-00015544

From: Daniel Stein
 To: Microsoft ATR
 Date: 1/23/02 9:28am
 Subject: Microsoft Settlement

This settlement is a bad idea. I don’t understand how this will protect us consumers from a multi-billion dollar company with ubiquitous monopolistic control of the computer market. Please find a settlement that will allow competition in the Operative System market again.

Sincerely,
 Daniel Stein

MTC-00015545

From: jortiz
 To: Microsoft ATR
 Date: 1/23/02 9:23am
 Subject: Microsoft Settlement

The proposed settlement is a win for Microsoft and huge loss to the people and competing businesses. It shames me that our own government set up to protect it’s citizens would turn its back.

This is not acceptable and must be corrected.

Jose Ortiz

MTC-00015546

From: Max.Requenes@sac.com@inetgw
 To: Microsoft ATR
 Date: 1/23/02 9:29am
 Subject: Microsoft Settlement

Dear Sirs and/or Madams,
 I strongly oppose the proposed settlement in the Microsoft Antitrust Case.

Thank you
 Max Requenes
 max.requenes@sac.com
 max@requenes.com

MTC-00015547

From: The Icewalker
 To: Microsoft ATR
 Date: 1/23/02 10:31am
 Subject: Microsoft Complaints

To Whom It May Concern,
 I’m not even sure where to begin. I’m definitely writing to you because I don’t feel that the back out of the Department of Justice was the best thing to do concerning the Microsoft Antitrust Case. To reach a settlement with a giant is only to invite more trouble. The government has settled before on infractions and “here we are again, back in court, again.”

How have I been hurt by Microsoft's dominance?

Let's see, I definitely feel that my "FREEDOM" to do with my own computer what I wish has been compromised by Microsoft and Windows. I've seen product updates change my personal preferences. I'm sorry, but I don't feel like opening my JPG's in Internet Explorer or MS Photo Editor. If I want to use PhotoShop, then those preferences should stay there, not be hijacked by the OS! I know it's petty, but it's also annoying multiplied by millions. It's also unfair to those other companies that have spent the time, asked the user, and are now out of the loop. Yeah Yeah, I can go change them back, but I shouldn't have to do that over and over and over again all because I'm now required to install the latest version of Internet Explorer so I can use my latest Word Processor. Since when were the two required to need each other? They have separate functions and shouldn't require each other!

Secondly, I'm tired of not having the choice of some other OS or no OS at all when I buy a computer. Let's see, there is Dell, Gateway, Compaq, HP, IBM. Try to buy a home computer without Windows and some other MS Word Processing Package. It's dang near impossible. And when I ask, I get the story, "We can't ship a system without an OS." Well that's crap. It costs money to put the OS on, you'd think they would love to be able not to do that. I've decided to build my own. More people should learn to do it so they wouldn't be so ignorant and blind.

Linux is an alternative. How do I know. I've built my own computer, and I've installed Linux. Hmmm...I have a nice system for a whole lot less money and I got what I WANT! Not what some operating system company wanted for me. It's about Choice and as long as a predator is allowed to prey on the masses, there is no choice.

It's time to put the sleeping giant to bed and allow the people of this country a little bit more freedom of choice. Afterall, if all software comes from Microsoft, that is a bad thing * * * the "all your eggs in one basket" mentality if you ask me!

I pray that somebody in the government wakes up, stop accepting donations, and does what they were elected by the people to do, to serve the people, not the corporate interest! I'm now done with my soapbox lecture!

Sincerely Yours,

James Bruce

Informatics Manager and Linux Advocate
Charleston SC

MTC-00015548

From: Steven K. Reinhardt
To: Microsoft ATR
Date: 1/23/02 9:21am
Subject: Microsoft Settlement
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

As an assistant professor in the Computer Science and Engineering division of the University of Michigan's Electrical Engineering and Computer Science

department, I am writing to protest the terms of the proposed anti-trust settlement with Microsoft.

Microsoft has repeatedly and blatantly leveraged their monopoly of the desktop PC operating systems market to gain a competitive advantage in other markets, and has shown no indication of regret for these actions. It is critical that Microsoft be barred from repeating this behavior for competition in the information technology sector to survive. The next few years will be crucial in the deployment of widespread Internet-based services (such as Microsoft's .NET), and the form that these services take will largely determine the level of consumer choice and privacy available in this domain. I am also concerned about Microsoft's role in digital rights management technology (as embodied in their Windows Media Player). The applications of this technology must tread a fine line between copyright protection and fair use. If the technology is in the hands of a single corporation such as Microsoft, it will be too easy for them to ally with other large media conglomerates to force solutions that erode consumers' fair use of digital content. While I believe Microsoft has a right to compete in these areas, they must be forced to do so on an equal footing with other corporations.

I feel that the US DOJ settlement is inadequate in its terms and lacks credible enforcement provisions even for the weak concessions it forces on Microsoft. Again, I encourage you to continue to press for a more thorough and enforceable settlement that will provide consumers with choice and freedom in the years to come.

Steven K. Reinhardt
Assistant Professor, EECS
The University of Michigan
email: stever@eecs.umich.edu
phone: (734) 647-7959, fax: (734) 763-4617
www: <http://www.eecs.umich.edu/stever>

MTC-00015549

From: Brad Midgley
To: Microsoft ATR
Date: 1/23/02 9:29am
Subject: Microsoft Settlement

The proposed settlement with Microsoft is a bad idea.

Brad Midgley
Salt Lake City, UT

MTC-00015550

From: Matt Smolik
To: Microsoft ATR
Date: 1/23/02 9:29am
Subject: Microsoft Settlement

I feel that the proposed settlement with Microsoft is a very bad idea. This amounts to a slap on the wrist, if that, for industry wide antitrust violation. Industry wide antitrust violation that continue to this day, with new violation each week.

It is not as much what Microsoft does, but how they do it. In an effort to "simplify" their OS they purposely deceive the user. Even if Microsoft is forced to stop the binding of their own software with their OS, they still have control over which application will open which type of document. They have always hidden this from the user, and

it is painful to use even if you know where to locate it. This is one way that Microsoft will continue to force their own software over all others.

Additionally on point A (Unbinding Microsoft's Software) this will have little to no effect. If the user is unaware that they may obtain a different web browser then they can not choose to. While working as in Internet Technical Support, I have heard many users claim that Internet Explorer —IS— the Internet. They do not know any better, thus use the software that came on their computer blindly. Moreover, I have informed many users that they do indeed have a choice in browser software (just to name one) but this is to no avail for they do not know how to obtain and/or install new software or do not wish to bother learning. Thus it is too late and the user is lost down the Microsoft path.

I hope that my words have not fallen on deaf Microsoft purchased ears. "I don't mind Microsoft making money. I mind them having a bad operating system."—Linus Torvalds ("The Rebel Code," NY Times, 21 February 1999)

Matthew Smolik

P.S. Since you are probably using Microsoft Outlook to view this, can you name 5 other email programs?

P.P.S It is very unsettling to learn that Microsoft is advertising their monopolistic OS in the United States Post Office.

<http://www.macintouch.com/postoffice.html>

MTC-00015551

From: Wallace, William
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 9:29am
Subject: Microsoft Settlement

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices. Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of its competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.

William Wallace.

William Wallace

Principal Engineer

InterWorld Corporation

Email: williamw@interworld.com

Phone: 212 301 2428 Cell/Fax: 973 626 0115.

wind catches lily

scatt'ring petals to the wind:

segmentation fault

MTC-00015552

From: Timothy E Basham
To: Microsoft ATR
Date: 1/23/02 9:24am
Subject: Microsoft Settlement

I think that the proposed settlement is a bad idea, and will merely leave Microsoft to do what they have done to get to this point again.

Timothy E Basham
Timothy E Basham
Programmer AutoSafe Intl.
tim@asiad.com
(309) 827-6793
http://www.asiad.com

MTC-00015553

From: Jim Rule
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 9:31am
Subject: Microsoft settlement

While I feel the government and Microsoft's adversaries went too far by attempting to break up Microsoft for supposed antitrust violations, the resolution through settlement is preferable to continued, costly and time consuming litigation.

I believe the settlement is fair and reasonable, and is a very positive development for the technology industry.

It is really a mystery as to why the settlement does not satisfy certain of Microsoft's adversaries. More than likely, it is because Microsoft was not forced to break up and they will never be happy until it is. This attitude is unfortunate and should not be allowed to distract the settlement process. Therefore, I urge you to settle this matter as quickly as possible so the technology industry can get back to innovating. Thank you.

Jim Rule
Critical Technologies, Inc.
100 Park Avenue Suite 500
Oklahoma City, OK 73102
405-235-8400 x105
www.criticaltech.com
<http://www.criticaltech.com>
www.filesonthenet.com
<http://www.filesonthenet.com>
CC:"senator(a)nuckles.senate.gov"

MTC-00015554

From: J. Todd Owen, PE
To: Microsoft ATR
Date: 1/23/02 9:28am
Subject: Microsoft Settlement

I do not believe the proposed settlement address the core case issues.

The remedy will not protect consumers in the long run.

J. Todd Owen, PE
IMEC Engineers
434-239-2623
434-237-8295 (F)

MTC-00015555

From: Greg Willden
To: Microsoft ATR
Date: 1/23/02 9:19am
Subject: Microsoft Settlement

I would like to comment on the Microsoft Settlement under the statutes of the Tunney Act.

I think that the settlement is very poor and does not properly address the real issues. There are numerous loopholes in the proposed settlement that will allow Microsoft, who has a history of unethical and illegal actions, to transform this penalty into an advantage for them. In order to restore proper competition I think it necessary for Microsoft to publish the file formats of all their Microsoft Office files. The .doc file format is widely used. If the format were made available then other office productivity suites like WordPerfect, StarOffice, Abiword and OpenOffice could effectively compete with them. Original Equipment Manufacturers (OEMs) must be allowed to sell a computer that can boot up into more than one Operating System. This has been attempted in the past but has been quashed by Microsoft's legal team. It is suspected that Microsoft is forcing the OEMs into single OS bootloader licenses that disallow this behavior.

These are only a few of the things that Microsoft has done to stifle competition and innovation. For all of Microsoft's talk about being able to innovate. They are doing more to hurt it than they are to help it.

The settlement also needs to have some real teeth. The "independent" auditors/monitors of Microsoft's behavior need to have complete independence and freedom to discuss any of their findings with the public and press. Unless they are allowed to do this their voices will be too easily silenced.

Microsoft should also have major fines imposed upon it for future violations of the settlement. Fines substantial enough that it will think twice before violating the public trust. And the monies collected from these fines should go to their competitors. I would recommend projects related to the GNU/Linux Operating System. Microsoft has openly acknowledged that Linux is a real competitor. What better way to ensure compliance than to force Microsoft to donate substantial funds to their competitors.

Microsoft has been shown to practice illegal predatory behavior. Do not cave in to them and give them a settlement with so many loopholes. They will exploit it to the detriment of all.

Greg Willden
San Antonio, Texas
Software Engineer

Hofstadter's Law: It always takes longer than you expect, even when you take into account Hofstadter's Law.

MTC-00015556

From: DnA Dvorkin
To: Microsoft ATR
Date: 1/23/02 9:27am
Subject: Microsoft Settlement

To whom it may concern:

We wish to express our disagreement with the proposed settlement in the Microsoft antitrust case. Weak conduct remedies such as those proposed will do nothing to change Microsoft's anti-competitive and anti-innovative business practices. Equally disturbing is the proposal that Microsoft should be able to choose part of the team responsible for enforcement of the settlement (weak as it may be.) This is equivalent to letting a convicted felon choose one of his friends to be his parole officer.

Very simply, Microsoft broke the law, and must be punished.

sincerely,
Daniel and Andrea Dvorkin
Denver, CO

MTC-00015557

From: Andrew Williams
To: Microsoft ATR
Date: 1/23/02 9:44am
Subject: Microsoft Settlement

To whom it may concern,

I am writing to express my vote against the proposed settlement. I won't list every complaint, since I'm trying to keep this short and I tend to ramble. I'll focus on the numerous loopholes in the settlement, specifically the proposed "limitations" on Microsoft's behavior in regards to two things: unfairly competing with other products (by integration into Windows, using secret APIs, or whatever) and the "disclosure of communications protocols necessary to interoperate with Windows"

Regarding the first, Microsoft can easily choose to "integrate" anything they like, and in theory, have no problems. I do have issues with regards to the "forced usage" that they rely on. Windows XP comes with MSN Messenger, with NO option to uninstall or disable. Why? Do I even have an internet connection at home? Shouldn't I be able to at least uninstall it? The definition of "Operating System" is very loose, and cannot be relied upon to limit their actions. Obviously, they have no intention of stopping their own "absorption" of other products.

As to the second, the "disclosure of communications protocols," the definition of "interoperate" is fairly clear. However, Microsoft could easily choose to have an "open" protocol with their "proprietary" extensions. This would be legal with the current settlement, as the "open" protocol could work. However, I would bet a year's salary that Windows would by default present the options to users to use the "proprietary" extensions, thus making them frustrated when they had to give them up to use the "open" protocol. Users don't want to "lose" features, even if they aren't needed. This is just ONE loophole, and it would result in basically no change from the status quo.

In summary, a more strict punishment MUST be applied. I am tired of others looking at me strangely because I don't have Office. I CHOOSE not to spend hundreds of dollars on an application that I only "need" because others don't know that an alternative exists. If its going to be a "standard" like that, it should come with the OS, just like IE is now "standard." Though I should mention, the numbers are inflated since users of Windows can't NOT use IE. I personally avoid it as much as possible, and it still pops up all the time. I've found Opera, for example, to be faster, more stable, and easier to use, but I have to identify myself as an IE user to load some pages, because Microsoft has made the world think that IE is the only browser. It is this kind of situation that has to stop. A superior product should never die simply because the competitor is funded by a mammoth entity with a load of cash. The

proposed settlement would not fix this problem, and I don't know of a solution myself. I'm a programmer, and I only see good things being ruined by MS. I can say without reservation that this settlement is a wrist-slap, nothing more. Don't let my money (from taxes to fund the trial) go to waste.

Thank you for your time,
Andrew Williams

MTC-00015558

From: gsoltesz@cisco.com@inetgw
To: Microsoft ATR
Date: 1/23/02 9:31am
Subject: Microsoft Settlement

The proposed settlement against Microsoft is wrong, and I am against it. I was forced to buy a Windows license for a PC I bought recently to a large vendor, yet the hard drive was immediately formatted to put an alternative Operating system on the drive.

Regards,
Gaetan Soltesz

MTC-00015559

From: Duncan Murphy
To: Microsoft ATR
Date: 1/23/02 9:31am
Subject: Microsoft Settlement

I think the current proposed settlement is a bad idea. I am not a lawyer, but it is clear that the remedy is not much more than a "slap on the hand".

The Court of Appeals did not turn aside the original judgment, just the proposed split of the company. Any settlement needs to be strong enough to send a message to Microsoft (and any other company contemplating monopolistic business practice), that such practice is not taken lightly.

James Duncan Murphy
Consultant, Owner
Problem Solved!
2638 Spring Station Road
Midway, KY 40347

MTC-00015560

From: Howard Lee Harkness
To: Microsoft ATR
Date: 1/23/02 9:31am
Subject: Microsoft Settlement

The proposed settlement appears to me to be flawed. The idea of breaking Microsoft into two or more separate entities was much better. Microsoft should be split, and *all* communication between the split companies should be made public, which would eliminate the secret APIs.

Howard Lee Harkness
<harkness@procountinc.com>

MTC-00015561

From: Lynne Klopff
To: Microsoft ATR
Date: 1/23/02 9:30am
Subject: Microsoft Settlement

MTC-00015562

From: Alex Hutton
To: Microsoft ATR
Date: 1/23/02 9:26am
Subject: Microsoft Settlement

This is a very bad, bad settlement for the people. Microsoft will be rewarded, not punished.

Alex Hutton

MTC-00015563

From: Alexander Hutton
To: Microsoft ATR
Date: 1/23/02 10:47am
Subject: Microsoft Settlement

Please consider this a voice against the current settlement. Microsoft will only gain from this settlement and it in no way punishes them.

MTC-00015564

From: Ian McLaury
To: Microsoft ATR
Date: 1/23/02 9:32am
Subject: Microsoft Settlement

The proposed settlement is a bad idea. I urge the court to reject the proposed settlement and properly punish the convicted lawbreaker, Microsoft.

MTC-00015565

From: Mike Bakula
To: Microsoft ATR
Date: 1/23/02 9:31am
Subject: Microsoft Settlement
Gentlemen;

I am writing to briefly express my disapproval of the current outlined settlement with Microsoft in the current antitrust proceedings. The changes proposed are far too limited, and completely ignore the damage already done to the computer hardware and software markets, and the threat to the networked computing market that is presented by the current Microsoft organization and culture.

Please reconsider the idea of structural changes to Microsoft, or at least some form of strict, preemptive oversight; otherwise, we are all in for "Internet: a trademark of Microsoft, Inc".

Thank you for your attention.
Michel J Bakula
839 E Glencoe St
Palatine, IL 60074

MTC-00015566

From: Jesse Burson
To: Microsoft ATR
Date: 1/23/02 10:02am
Subject: Microsoft Settlement

There are a large number of problems I have with the proposed Microsoft settlement. Here are some letters sent by others with which I agree: Most of all, I agree with the "Open Letter to DOJ Re: Microsoft Settlement" found here:

<http://www.kegel.com/remedy/letter.html>
In addition:

"Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices. Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted. Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed.

Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition."

"I believe this settlement is counter to the interests of the American public, deleterious to the American economy, and not adequate given the findings of fact in the trial.

Microsoft's anti-competitive practices are counter to the law and spirit of our free-enterprise system. These practices inhibit competition, reduce innovation, and thereby decrease employment and productivity in our nation. Microsoft's monopolistic practices cause the public to bear increased costs and deny them the products of the innovation which would otherwise be stimulated through competition.

The finding of fact which confirmed that Microsoft is a monopoly requires strict measures which address not only the practices they have engaged in in the past, but which also prevent them from engaging in other monopolistic practices in the future.

It is my belief that a very strong set of strictures must be placed on convicted monopolists to insure that they are unable to continue their illegal activities. I do not think that the proposed settlement is strong enough to serve this function."

"I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future.

The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded."

MTC-00015567

From: Roberts, Bud
To: 'Microsoft.atr(a)usdoj.gov'
Date: 1/23/02 9:31am
Subject: Microsoft Settlement

To whom this concerns, Microsoft should not be punished for outperforming its competitors. They should be applauded.

Please leave them alone.
 Bud Roberts
 mail@budroberts.com

MTC-00015568

From: Jesse Sweetland
 To: "microsoft.atr(a)usdoj.gov"
 Date: 1/23/02 9:20am
 Subject: Microsoft Settlement
 Dear Sir or Madam,

I am presently very concerned with the proceedings of the Microsoft Anti-trust case. I am not a lawyer, and I don't understand the finer points of the proposed settlements. I feel that the broad wording of the proposed settlement and failure to accurately define terms in a definite, undisputable, and technical sense contribute largely to this. I will therefore avoid a technical criticism and express more plainly my fears concerning Microsoft's monopoly.

I am currently composing this E-mail on a machine with Microsoft Windows 2000, using the Microsoft Outlook portion of the Microsoft Office 2000 product suite. From my computer it will travel upstream to a Microsoft Exchange E-mail server, where it will in turn be transmitted via the World Wide Web and land in your inbox, presumably a part of another Microsoft Product.

Perhaps the E-mail address I am sending to is an alias for a mailing list, and this letter will find its way to a Microsoft Hotmail account, and a user, authorized using his or her Microsoft Passport, may view it. In the not-so-very-future perhaps this will be done using a Microsoft Homestation over the Microsoft Network, using proprietary protocols and encryption schemes.

And while this hypothetical individual is viewing his E-mail, it is entirely possible that he is listening to music purchased via one of Microsoft's partnerships with various music labels, protected against distribution using Microsoft's Digital Rights Management, which, of course, is built into the hardware/firmware of the Microsoft Homestation and Microsoft Windows XP, which, in accordance with future digital rights management legislation (SSSCA), will be the only hardware/software bundle which conforms to the mandatory digital rights management requirements. Microsoft has a foothold in the hardware, operating system, application, media, services, and development arenas. Like any business, when they see an opportunity to expand their business model to increase profit, they do so. Unlike other businesses, they can move in and sell products at a loss to gain market share until the competition is eliminated. Right now the Microsoft Xbox sells for a per-unit loss of \$150. This puts them in the same price range as the Sony Playstation 2 and the Nintendo Gamecube. With more advanced hardware and similar development platform as Microsoft Windows, the Xbox stands an excellent chance of outselling and stifling the competition in the market. This is Microsoft's first entry into the market, and it will dominate in less than a year.

Right now an individual can sign up for a Microsoft Passport and Microsoft Passport Wallet accounts (indeed they are *strongly* encouraged to do so in Windows XP) and

with a single click authenticate themselves on a number of online sites. While this adds convenience it gives Microsoft a disturbing amount of control and influence online. This, combined with national ID card legislation puts Microsoft in a position to be the first to synchronize its own authentication services with the national registry. No other company has the infrastructure or the capital.

Microsoft is aligning itself with the major powers, namely the government and the entertainment industry. It's breaking into new markets with disturbing power and force. Microsoft already controls the form and function of my daily life in the workplace and on my home PC, but it also stands to control what music I listen to how often, where I may shop, and what kind of digital content I may view. It may track my purchasing habits, my financial transactions, and the places I like to visit on the web. Doesn't having all of this power in one company concern you?

Microsoft has called itself "the Gatekeeper." That's scary enough, isn't it? Especially considering their track record for security and stability. I would feel much safer knowing that Microsoft was divided into two if not more separate companies. Opening APIs and promising to be nice is not enough. Microsoft can and will find a way to abuse the wording of this settlement to the detriment of its competition. Look at its track record of legal battles and you will see that there is not much it can't accomplish. Look at how people are balking at the decision to split up Microsoft. They know that doing so would cause a severe disruption in the industry. It would profoundly affect thousands of businesses. Isn't this evidence enough that they *should* be divided?

Please, reject the proposed settlement in favor of a decision to break up Microsoft.

Thank you.

Jesse Sweetland
 Programmer/Analyst
 Network Telephone Corporation

MTC-00015569

From: Doug Turner
 To: Microsoft ATR
 Date: 1/23/02 9:24am
 Subject: Microsoft Settlement

I believe the Microsoft settlement is not in the best interest of consumers. Microsoft has repeatedly shown that they will stop at nothing to destroy competitors. It is well past time that Microsoft was broken into separate companies—one for its Operating Systems, one for the rest of its computer software, and one for its consumer electronics and other hardware.

Regards,
 Doug Turner

MTC-00015570

From: scott lewandowski
 To: Microsoft ATR
 Date: 1/23/02 9:32am
 Subject: Microsoft Settlement

To Whom It May Concern:

I am writing to voice my opposition to the proposed settlement in Microsoft's anti-trust case. As a technology worker who uses Microsoft software daily, I am exposed to the

lack of choice and increased costs their monopoly has created. The proposed penalty contains enough vague language (e.g. defining middleware) that it does little to prevent them from exploiting their monopoly even further in the future.

Thank you for your time.

Scott Lewandowski
 Lincoln, Nebraska

MTC-00015571

From: Tony Rimovsky
 To: Microsoft ATR
 Date: 1/23/02 9:32am
 Subject: Microsoft Settlement

The proposed microsoft settlement is a bad idea.

MTC-00015572

From: jbh@moses.gencon.com@inetgw
 To: Microsoft ATR
 Date: 1/23/02 9:32am
 Subject: Microsoft Settlement

Gentlemen/Ladies,

As a software engineer with 20 years' experience developing software for Unix, Windows, Macintosh, and Linux, I'd like to comment on the Proposed Final Judgment in United States v. Microsoft. According to the Court of Appeals ruling, "a remedies decree in an antitrust case must seek to 'unfetter a market from anticompetitive conduct', to 'terminate the illegal monopoly, deny to the defendant the fruits of its statutory violation, and ensure that there remain no practices likely to result in monopolization in the future' (section V.D., p. 99). Attorney General John Ashcroft seems to agree; he called the proposed settlement "strong and historic", said that it would end "Microsoft's unlawful conduct," and said "With the proposed settlement being announced today, the Department of Justice has fully and completely addressed the anti-competitive conduct outlined by the Court of Appeals against Microsoft."

Yet the Proposed Final Judgment allows many exclusionary practices to continue, and does not take any direct measures to reduce the Applications Barrier to Entry faced by new entrants to the market. The Court of Appeals affirmed that Microsoft has a monopoly on Intel-compatible PC operating systems, and that the company's market position is protected by a substantial barrier to entry (p. 15). Furthermore, the Court of Appeals affirmed that Microsoft is liable under Sherman Act § 2 for illegally maintaining its monopoly by imposing licensing restrictions on OEMs, IAPs (Internet Access Providers), ISVs (Independent Software Vendors), and Apple Computer, by requiring ISVs to switch to Microsoft's JVM (Java Virtual Machine), by deceiving Java developers, and by forcing Intel to drop support for cross-platform Java tools.

The fruits of Microsoft's statutory violation include a strengthened Applications Barrier to Entry and weakened competition in the Intel-compatible operating system market; thus the Final Judgment must find a direct way of reducing the Applications Barrier to Entry, and of increasing such competition.

The fact that you would consider allowing this proposed farce of a settlement is an

outrage. For goodness sake get a backbone, get off your collective fannies and do the RIGHT thing!

James B. Huber
jhb@gencon.com

MTC-00015573

From: Kevin Yager
To: Microsoft ATR
Date: 1/23/02 9:33am
Subject: Microsoft Settlement

To Whom it may concern;

I disagree with much of the proposed MS settlement. I'm afraid Microsoft will be like a bad dog who has a nieve owner. The Dog (Microsoft) keeps biting people. The owner (DOJ) keeps saying, "he won't do it again.", or its "not the dog's fault." I particularly disagree with Section III.A.2., and Section III.B. Don't give MS the power to bully OEM's. Don't give MS ANY power to bully ANY OEM's.

More should be added to Sections III.F. and III.G. MS should not be able to say or limit what other software is distributed with it's own software. MS shouldn't be able to limit what operating systems's their Redistributable Componenets can be run on.

Kevin Yager
2800 Jagger Road
Marion, NY 14505
716 722 5916

MTC-00015574

From: William Fowler
To: Microsoft ATR
Date: 1/23/02 9:33am
Subject: Microsoft Settlement

To whom it may concern,

I have read over the proposed settlement in the Microsoft case and feel that the punishment is not equal to the crime. It almost appears as a slap on the wrist, gives a few new rules they have to operate by, and then allows them to continue from where they are now, minus the new rules. I feel that they should be punished and not allowed to keep the current postition that they have, since they have arrived there because of illegal practises. Its like letting a thief keep what he stole if he promises to not steal anymore.

Thank you,
William S. Fowler
Baton Rouge, LA

MTC-00015575

From: Dan Raasch
To: Microsoft ATR
Date: 1/23/02 9:33am
Subject: Microsoft Settlement

To Whom It May Concern:

The Proposed Final Judgment for Microsoft is ludicrously inadequate. Thousands of companies (along with their innovations) have been illegally destroyed by Microsoft's anti-competitive practices in the past, and the PFJ does nothing to remedy this. It also is bereft of foresight and is self-contradictory—the court defined Microsoft-specific file formats (i.e. Word .doc and other office documents) as barriers to entry, and judged Microsoft a monopoly in part because of this, but the PFJ makes no demands that Microsoft release these file formats so as to let others compete. Additionally, the PFJ supposedly applies to "Windows", but

defines Windows absurdly narrowly. For instance, the PFJ definition of Windows does not apply to Windows XP Tablet PC edition, even though Microsoft is making aggressive moves toward replacing the traditional PC with tablet PCs. I could go on and on about Microsoft's anti-competitive licensing practices or their attempts to cripple competing software, but these things are all in the court record. The PFJ doesn't significantly limit these practices. I am writing to you to join in the chorus of people shaming this judgment and demanding a better one. I also think that when considering these comments, you should give more weight to anti-Microsoft comments than to pro-Microsoft ones, considering Microsoft has a PR machine unlike any other, while Microsoft's destroyed competitors obviously have no PR machine.

Sincerely,
—Dan Raasch
3410 Surrey Heights Dr. #306
Eagan, MN 55122

MTC-00015576

From: Chris
To: Microsoft ATR
Date: 1/23/02 9:32am
Subject: Microsoft settlement

I think the proposed settlement is bad idea.

MTC-00015577

From: Mark Ward
To: Microsoft ATR
Date: 1/23/02 9:32am
Subject: Microsoft Settlement

The proposed settlement is a bad idea!
Mark Ward

MTC-00015578

From: Brent Bryan
To: Microsoft ATR
Date: 1/23/02 9:33am
Subject: Microsoft Settlement

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundreds of small companies, and many larger companies have been devastated by Microsoft's monopolistic practices. Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (60%, for example) This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. (Note for instance Internet Explorer's base in the new XP software) The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.
-Brent Bryan
Graduate Student
Yale University

MTC-00015579

From: Carl Alexander
To: Microsoft ATR
Date: 1/23/02 9:32am
Subject: Microsoft Settlement

I think this settlement is a bad idea for the computer and software industries
Carl Alexander

MTC-00015580

From: Jack Cox
To: Microsoft ATR
Date: 1/23/02 9:34am
Subject: Microsoft Settlement

To Whom it may concern,
I dislike to proposed and revised proposed Microsoft Settlements for several reasons:

1) The agreement provides too many simple ways that Microsoft can defeat the penalties stipulated in the agreement.
2) The provision allowing Microsoft to not reveal protocols due to security concerns. Every protocol in the system can be covered by this one exclusion. Any protocol can be used to break a Windows system given the correct circumstances.

3) Licenses the protocol specifications in a reasonable and non-discriminatory fashion leaves too much room for MSFT to charge a high figure for the specification, thereby locking out all startup/individual developers from using the specification.

4) None of the licensing provisions cover non-commercial or open-source development initiatives.

Therefore, MSFT could freely not license their protocols to open-source development groups.

These 4 reasons are just the beginning. Given the proven past behavior of Microsoft, and given its current behavior against current competitors (Real Networks, Novell, Sun/Java, and others), the proposed remedies are not heavy enough.

Thanks for listening.

Jack Cox
Richmond, Virginia

MTC-00015581

From: Curt Pederson
To: Microsoft ATR
Date: 1/23/02 9:34am
Subject: Microsoft Settlement

To whom it may concern,

The settlement with Microsoft is NOT going to change anything. Microsoft has the upper hand and will continue operating as normal. As a US citizen, I do not support the settlement and request a harder line be taken.

Thank you,
Curt Pederson
Madison WI
Curt Pederson
Berbee
5520 Research Park Drive
Madison, WI 53711
pederson@berbee.com
608.298.1259 Fax 608.288.3007
Berbee...putting the E in business

MTC-00015582

From: Kenneth Lewelling
To: Microsoft ATR
Date: 1/23/02 9:34am
Subject: Microsoft Settlement

The current proposal for the Microsoft settlement will not prevent Microsoft from

staying a monopoly in the computer industry. Microsoft employees are spreading this around as "...a victory over the government." If the government shows they are incapable or unwilling to stop Microsoft's monopoly over the software industry, who else is there to stand in Microsoft's way?

Since the trial has started Microsoft's grip on ISP's and hardware vendors has slowly loosened up for fear of how it would be represented in the case against them. Once Microsoft accepts the current settlement they will go back to their previous methods of forcing the industry to accept their software and force out competitors, but it is not their previous methods the software industry is only worried about. By receiving the current settlement this will show the industry that even the government and its laws cannot stop Microsoft's monopoly. Microsoft will be able to expand their practices beyond strict EULA's, enforcing proprietary "standards" and harassing/buying out small companies. They will be able to stretch more laws, find more loopholes and choose more "un-ethical" business means knowing that the most powerful system that could have stopped them was not powerful enough. Once again I say that the DOJ and US government should be putting a stop to Microsoft's monopoly. By forcing them to release their file formats, protocols or something similar that will allow other companies to compete with them. But the current settlement simply shows that the government no longer has the power to enforce the laws that control our capitalist country.

MTC-00015583

From: Mike Perham
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 9:34am
Subject: Microsoft Settlement

I believe the Microsoft settlement lets off Microsoft with a slap on the wrist. As a software developer, I have seen the effects of Microsoft's monopoly over the last 10 years and hope that the DOJ will impose a much harsher penalty that will truly level the playing field rather than allowing them to simply buy their way out of the current situation.

mike perham
austin, tx

MTC-00015584

From: Jim Barkley
To: microsoft.atr(a)usdoj.gov
Date: 1/23/02 9:34am
Subject: Microsoft Settlement

Dear Sir,

I do not believe that the proposed anti-trust settlement properly addresses the harm that Microsoft has inflicted due to its anticompetitive behavior in the past. Nor has there seemed to be any willingness on the part of Microsoft to live up to its commitments to adjust its behavior.

Jim Barkley

MTC-00015585

From: Lang, Jeff
To: Microsoft ATR
Date: 1/23/02 9:34am
Subject: Do not agree with settlement

I do not agree with this settlement

MTC-00015586

From: Green Bryan—bgreen
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 9:35am
Subject: Microsoft Settlement

I am very discouraged with the proposed settlement. Microsoft has violated the sense of fair play that Americans, as a whole, deeply cherish. For a corporation of their size, the punishment does not fit the violations. It will not discourage them from going that route again. They have shown that they do not value the law except when it benefits them. It is obvious that they view the US legal code as a gamebook whose reading of is to provide insights into how to skirt the rules of the game of fair competition.

Bryan Green

MTC-00015587

From: Eduard Kleyn
To: Microsoft ATR
Date: 1/23/02 9:34am
Subject: Microsoft Settlement
The proposed settlement is a bad idea!
Eduard Kleyn
The LDS Corporation
Tel: (913) 492-5700 x225
FAX: (913) 492-2794
—eddyk@ldsinc.com
: www.ldsinc.com

MTC-00015588

From: John Enters
To: Microsoft ATR
Date: 1/23/02 9:36am
Subject: Microsoft Settlement
I personally believe that the proposed settlement is inconsistent with the findings of the proceedings. In other words it is a bad idea. I also believe that the comments made by Dan Kegel do a thorough job of detailing why this is so. His comments can be found at <http://www.kegel.com/remedy/letter.html>.
John Enters

MTC-00015589

From: ed@mail.hp.uab.edu@inetgw
To: Microsoft ATR
Date: 1/23/02 9:36am
Subject: Microsoft Settlement
To Whom It May Concern:

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of its competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The

risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.

MTC-00015590

From: Andrew Reilly
To: Microsoft ATR
Date: 1/23/02 9:34am
Subject: Microsoft Settlement

I have worked in the Internet field since 1992 and found Microsoft on all occasions that I have worked with them, in my personal experience, to be unashamed bullies. I have seen nothing to indicate that this has changed, and believe that the remedies proposed will do nothing to prevent this behaviour in future. I believe that the remedies proposed by the DOJ are completed inadequate, and that the remedies proposed by California, Florida, Iowa, Kansas, Massachusetts, Minnesota, Utah, West Virginia, and the District of Columbia are barely adequate. The dissenting states are closer, but the Judge should strengthen the remedy to ensure beyond a reasonable doubt the safety of innovation and commerce in the United States.

regards,
Andrew Reilly

MTC-00015591

From: Jennifer
To: Microsoft ATR
Date: 1/23/02 9:34am
Subject: Microsoft Settlement

Ms. Renata B. Hesse:

I would like to go on record as opposing the proposed Microsoft settlement. I feel that this "remedy" is, in fact, a license for Microsoft to continue monopolizing the market. The settlement has no substantial benefit to consumers, and does nothing to prevent Microsoft from continuing to exploit its current omnipotence in the computer industry. Microsoft has repeatedly demonstrated its arrogant disregard for the laws of the United States, and the introduction of "licensing 6.0" and Windows XP demonstrate that, even at this critical moment, they have no intention of changing their ways. To reiterate: this proposed settlement is far too weak to result in any change in Microsoft's monopolistic behavior. The harmful effects to the rest of the computer industry are incalculable; even free software will be seriously damaged, since the wording of the agreement explicitly excludes free software from even the limited protection afforded to other Microsoft competitors. This effectively frees Microsoft to go after the Linux operating system "hammer and tongs."

Please reject this token "remedy" and seek an agreement that provides real reparations for those harmed, and deterrents to prevent future harm.

Sincerely,
Jennifer Stathakis

MTC-00015592

From: Scott D. Davilla
To: Microsoft ATR
Date: 1/23/02 9:28am
Subject: Microsoft Settlement

As a OS level programmer, I think a the think the proposed settlement is bad idea because it does nothing to prevent the hidden

OS level APIs that Microsoft uses to enhance their applications like "MSWord" or "Excel". Since Microsoft control both the OS API and the application API, they have access to enhanced API routines that are not published or documented for 3rd party programmers.

It is well known among windows programmers that there is the two ways to program under windows, 1) the documented way and 2) the undocumented way. Much time is spent trying to figure out the undocumented API so that our 3rd party applications can have the same features as Microsoft applications. The only way to level the playing field is to split Microsoft into two logically and physically separate companies. An OS level company and an application level company. There is no communication permitted beyond the documented APIs. The application level company has the same access to the API as everyone else does.

Thanks

Scott D. Davilla

Phone: 919 489-1757 ext 13 (tel)

Fax: 919 489-1487 (fax)

4pi Analysis, Inc.

3500 Westgate Drive, Suite 403

Durham, North Carolina 27707-2534

email: davilla@4pi.com

web: <http://www.4pi.com>

MTC-00015593

From: Dhaval Patel

To: Microsoft ATR

Date: 1/23/02 9:37am

Subject: Microsoft Settlement

My name is Dhaval Patel. I live at 451 Maplewood Ave Roselle Park, NJ 07204. I am a U.S. Citizen and I feel that the Microsoft Settlement is a bad idea.

MTC-00015594

From: William G. Thompson, Jr.

To: Microsoft ATR

Date: 1/23/02 9:37am

Subject: Microsoft Settlement

The proposed settlement is a bad idea, is not in the public interest and should not be accepted.

Bill Thompson

550 Barrymore St.

Phillipsburg, NJ 08865

MTC-00015595

From: Eric Lorenz

To: Microsoft ATR

Date: 1/23/02 9:37am

Subject: Microsoft settlement

Jan. 23, 2002

To the Dept. of Justice employees working on the Microsoft case: The settlement in the Microsoft case is a joke. Microsoft time and again has used its position to manipulate people, manipulate companies, lie, cheat, ignore computing standards or change them so they only work with their own products, and flaunt the law. Especially when it comes to anti-trust law. They have been convicted of breaking the anti-trust laws, but now the penalty proposed for them is merely a slap on the wrist. It does not go far enough, and will not make Microsoft change its behavior or business practices.

Don't let Microsoft get away with this!

Eric Lorenz

P.S. Listed below are web pages that show different aspects of Microsoft's influence and

business practices. below are web pages that show different aspects of Microsoft's influence and business practices.

- MS own version of TCP/IP; MS breaks navigator functionality; disables Qt functionality; <http://www.pbs.org/cringely/pulpit/pulpit20010816.html>
- MS fakes support letters in effort to lobby people; http://seattletimes.nwsources.com/html/nationworld/134332634_microlob23.html
- MS prevents free speech (criticism) with EULA; <http://www.infoworld.com/articles/op/xml/01/09/17/010917opfoster.xml?0920tham>
- How MS registered file types allow them to extend their monopoly and stifle competition; http://www.salon.com/tech/col/rose/2001/10/08/file_monopoly/index.html
- why the US surrendered to MS; <http://www.thenation.com/doc.mhtml?i=special&s=moglen20010909>
- WinXP prevents installation of 3rd party drivers, and only MS version of software will work; <http://www.theregister.co.uk/content/4/20805.html>
- Ms and "smart tags"; http://news.cnet.com/news/0-1003-200-6399150.html?tag=mn_hd
- WinXP incompatibles with other OS; <http://slashdot.org/article.pl?sid=01/05/19/2355206&mode=thread>
- MS wants only MS OS on new PCs; <http://www.aaxnet.com/news/M010425.html>
- MS Passport: all data is MS's; <http://slashdot.org/article.pl?sid=01/04/03/1535244&mode=thread>; <http://www.wired.com/news/business/0,1367,42811,00.html>; http://news.cnet.com/news/0-1005-200-5508903.html?tag=mn_hd
- MS bullies customers; <http://www.internetweek.com/newslead01/lead032901.htm>
- MS buries SQL benchmarks; <http://www.infoworld.com/articles/op/xml/01/03/05/010305opcringely.xml>
- MS non-compete clauses; <http://slashdot.org/article.pl?sid=01/01/17/2238249&mode=thread>
- IE tracking default bookmarks; <http://slashdot.org/article.pl?sid=00/09/13/0023213&mode=thread>
- MS forces users to pay twice for software; <http://news.cnet.com/news/0-1003-200-2427307.html>
- MS IE doesn't follow standards; <http://news.cnet.com/news/0-1005-200-2254214.html?tag=st.ne.1002.bgif.ni>; <http://www.webstandards.org/ie55.txt>
- MS forces will on E-bay; <http://www.kuro5hin.org/?op=displaystory&sid=2000/5/19/165146/255>; <http://slashdot.org/article.pl?sid=00/05/29/1542223&mode=thread>
- MS embrace and extend on Kerberos; http://www.linuxworld.com/linuxworld/lw-2000-04/lw-04-vcontrol_3.html; <http://slashdot.org/article.pl?sid=00/05/02/158204>
- MS tries to silence critics; <http://slashdot.org/article.pl?sid=00/05/11/0153247>
- MS patch breaks Lotus Notes; <http://news.zdnet.co.uk/story/0,,s2075190,00.html>

- Win2k has problem with standard DNS; <http://techupdate.zdnet.com/techupdate/stories/main/0,14179,1016137,00.html>
- MS monopoly essay; <http://slashdot.org/article.pl?sid=99/06/25/1810223&mode=thread>
- MS withheld Win95 Y2K patch; <http://www.cnn.com/TECH/computing/9905/03/fix.y2k.idg/>
- MS illegal practices against DR-DOS; <http://news.cnet.com/news/0,10000,0-1003-200-340587,00.html>
- Caldera sues MS for anti-competitive practices; <http://techupdate.zdnet.com/techupdate/stories/main/0,14179,1013942,00.html>
- MS rigged survey (evidence); <http://slashdot.org/article.pl?sid=99/01/15/0948238&mode=thread>
- MS overcharged consumers—Consumer Federation of America; <http://news.cnet.com/news/0,10000,0-1003-200-337138,00.html>
- MS sued for stealing mouse design; <http://slashdot.org/article.pl?sid=98/12/16/0950252&mode=thread>
- Japan accuses MS of unfair business practices; <http://news.cnet.com/news/0,10000,0-1003-200-335638,00.html>
- MS and their competition; <http://sanjose.bcentral.com/sanjose/stories/1998/09/07/story4.html>; The Microsoft Files by Wendy Goldman Rohm
- Bristol sues MS for anti-competitive practices; <http://infoworld.com/cgi-bin/displayStory.pl?980819.wcbristol.htm>
- AT&T sues MS over NT licensing; http://www.zdnet.com/zdnn/stories/zdnn_display/0,3440,2112360,00.html
- MS bribes ISPs with free software; <http://news.cnet.com/news/0,10000,0-1003-200-328268,00.html>
- MS like monopoly; <http://abcnews.go.com/sections/tech/FredMoody/moody41.html>
- MS buy and convert; <http://www.wired.com/news/technology/0,1282,9701,00.html>
- MS steals code for DOS 6.1; Couldn't find a web page about it. But ask Microsoft if you could purchase a copy of DOS 6.1. When they say "no", ask them about the court case against them, and the settlement where they had to stop selling DOS 6.1.

MTC-00015596

From: rtb

To: Microsoft ATR

Date: 1/23/02 9:36am

Subject: Microsoft Settlement

Renata B. Hesse

Antitrust Division

U.S. Department of Justice

I'm sending this e-mail to express my displeasure with the proposed judgment of the Microsoft anti-trust case being pursued by the United States federal government. I believe the judgment phase of this case has consistently underestimated Microsoft's destructive impact on its competitors and the computer industry in general, as well as Microsoft's tendencies to blatantly ignore previous court rulings on similar issues. I truly believe that any judgment short of breaking up Microsoft will be completely and totally ineffective in changing how Microsoft uses its monopoly position to unfairly dominate competitors, OEMs and ISVs.

Thank you for listening,
Robert T Bowers

MTC-00015597

From: Barney Evans
To: Microsoft ATR
Date: 1/23/02 9:37am
Subject: Microsoft Settlement
As a home owner and a tax payer and computer user, I feel that the Microsoft Settlement aka The Tunney Act, is a bad Idea. Please log this email as a complaint.
Barney Evans
La Mesa, CA

MTC-00015598

From: David Dahl
To: Microsoft ATR
Date: 1/23/02 9:37am
Subject: Microsoft Settlement
Dear Sir or Madam:
The Microsoft settlement is, in my opinion, a slap on the wrist. Microsoft's business practices have been underhanded and illegitimate for as long as I can remember, and this warrants stronger measures.
Microsoft has single-handedly set back computing by many years with their buggy, slow, virus-prone, monopoly operating system. In fact, almost every time there is a new virus or worm outbreak, it only infects Microsoft systems, causing billions of dollars in damage and downtime. Microsoft has never paid for this either, and it seems to me the public is not aware of this. I still get hits on my Linux server (which remains uninfected, of course) for the "Code Red" and "Code Blue" viruses, which Microsoft issued a patch for months ago.

Microsoft is trying to spread unwarranted rumors about Open-source software and the GNU Public License, which governs much of the Open-source world. In my opinion, Open-source software is more reliable than anything Microsoft has ever coded, and as a small business owner, I rely on these Open-source tools to compete on even ground. If I had to buy all of my software for development, I would not have a small business because of the costs.

If Microsoft is given a "slap on the wrist", I will really fear for the future of computing, Open-source software, and freedom to choose which software I use to program products for my clients. The proposed settlement will only increase Microsoft's monopoly power, and help crush more of the little guys.

You should not "Settle" with Microsoft, you should THROW THE BOOK AT THEM.

Highest Regards,
David Dahl
President/Application Developer
ddahl.com, inc
http://ddahl.com

MTC-00015599

From: Roy Cromartie
To: Microsoft ATR
Date: 1/23/02 9:36am
Subject: Microsoft Settlement
Dear sirs:

I wish to take this opportunity to comment on the proposed settlement between the DOJ and Microsoft corporation. I have reviewed the documents available via the web. While I am not a lawyer I must comment on the how stricking the proposed remedies are in

their absence of addressing the core issues of the findings of fact. I can see no effective remedy to the misuse of monopoly power that was defined in the findings and that has come to catagorize Microsoft. I strongly urge the court to deny approval of the remedies as presently formulated and require the parties to renegotiate an agreement that will address these issues.

Sincerely,
Roy Cromartie

MTC-00015601

From: Olson, Lee
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 9:37am
Subject: Microsoft Settlement
To whom it may concern:
I have read the proposed settlement in the Microsoft antitrust case, and I am not in favor of it in its current state. This is a vote against the current settlement.

In my opinion, the settlement should have provisions which open the market fairly to competitors of Microsoft and include as few loopholes as possible, which Microsoft has abused in the past and will continue to abuse in the future. For example, Microsoft should not be allowed to penalize OEMs who sell computer systems with competing software products.

Thank you,
Lee Olson
2127 29th St NW #11
Cedar Rapids, IA 52405
WABTEC CORPORATION

MTC-00015602

From: Domingo Lopez
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 9:37am
Subject: Microsoft Settlement
Short and sweet.

The settlement as it stands does nothing to curtail Microsoft's monopolistic practices. As a MIS director of a NY Law firm I have seen Microsoft drive prizes of software up while quality suffered. This settlement seems to perpetuate the situation.

Just my opinion.
dll

MTC-00015603

From: Joel Kickbusch
To: Microsoft ATR
Date: 1/23/02 9:36am
Subject: Microsoft Settlement

Hello,
I am a software engineer, working in Florida. I have been in the software business for ~8 years. I utilize both Microsoft products and OS's and non-Microsoft products and OS's. I believe the Microsoft Settlement is not in the best interests of consumers, capitalism or the United States. There are a number of reasons for this, more than I care to list. One of the most egregious oversights is that what little protection is afforded only applies to the current operating systems. As if Microsoft will never release another OS...

Thanks,
joel kickbusch

MTC-00015604

From: Jason Richmond
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 9:38am

Subject: Microsoft Settlement
The settlement is a BAD idea.

MTC-00015605

From: Denny Givens
To: Microsoft ATR
Date: 1/23/02 9:38am
Subject: Microsoft Settlement
Hello,

Please do not give microsoft a pass and let them off with a slap on the wrist. It is critical that one company not control everything with the much ballyhooed digital convergence coming to pass. Please do the right thing!

Denny Givens

MTC-00015606

From: Dave MacDonald
To: Microsoft ATR
Date: 1/23/02 9:37am
Subject: Microsoft settlement

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Thank you for your time.

MTC-00015607

From: Nate Waisbrot
To: Microsoft ATR
Date: 1/23/02 9:37am
Subject: Microsoft Settlement

I disagree with the proposed final judgment of the Microsoft case. The proposed judgment does not adequately protect consumers from Microsoft's monopoly.

The proposed judgment does not require Microsoft to allow OEMs to sell computers with a competing operating system but without Microsoft Windows. This loophole means that OEMs will continue to bundle Microsoft Windows with their products, and consumers who do not wish to buy Microsoft Windows (because they use a competing operating system exclusively) will be forced to purchase Windows.

Therefore, I do not believe the Proposed Final Judgement should be adopted without substantial revision to address this issue and others.

Sincerely,
Nathaniel Waisbrot
Poughkeepsie, NY
Vassar College student

MTC-00015608

From: kevin.r.taute@mail.sprint.com@inetgw

To: Microsoft ATR
Date: 1/23/02 9:38am
Subject: Microsoft Settlement

Dear Sir,

I am writing in regards to the announced settlement of the Microsoft antitrust lawsuit.

I have read that settlement does not provide for outside non-business entities access to the same provisions as business (for profit) entities. I believe this is incorrect and does not address the core issues of the case. There are many excellent programs and services provided by non-profit groups and/or organizations. Restricting the terms of the settlement to for profit businesses would limit or reduce the ability of the non-profit entities to provide inexpensive services and/or products to low-income or impoverished areas and people. Since Microsoft has billions in the bank, I am sure this does not concern them, but it does concern me.

Thank You

Kevin R. Taute

MTC-00015609

From: Scot Baird
To: Microsoft ATR
Date: 1/23/02 9:37am
Subject: Microsoft Settlement

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement. As it stands, it would allow Microsoft to get a larger share of the K-12 education market which it has had a hard time doing. Instead of letting Microsoft provide their software (including operating system) to the education market they should have to provide the actual money and let the education industry decide what to do with it. They can still provide the hardware but cash instead of software would be a fair punishment.

The settlement as written allows and encourages significant anticompetitive practices to continue. The Microsoft settlement should not be adopted without substantial revision to address this problem.

Sincerely,
Scot Baird
Louisville, KY

MTC-00015610

From: Greg Kettmann
To: Microsoft ATR
Date: 1/23/02 9:37am
Subject: Microsoft Settlement

I would like to see strongly punitive action taken against Microsoft and there has been absolutely no indication the government is willing to do that.

Microsoft claims their right to "innovate" but this is an absurd statement. The result of their efforts is a dramatic reduction in innovation. Take Windows itself and the Graphical User Interface, that was not a Microsoft "innovation" it was stolen technology. This list goes on and on. The Microsoft philosophy of "embrace and extend" is a dangerous thing. They find someone else's innovation that they like. They incorporate it into their own product. Then they subtly change it. Their vast presence assures that their changes will be come the defacto standard and the original, truly innovative, company goes out of business, thus ending any further innovation. This method is being used in the browser

space as well and it's critical that the web be built on open, not proprietary, standards.

The notion the Microsoft be punished by donating 1 billion in used computers and software is ridiculous. "Please don't throw me in the briar patch." They have 31 Billion Dollars of cash on hand. 1 Billion is insignificant to them. Even if 1 Billion mattered the idea of used equipment and their own software truly dilutes the effect. It gives them an opportunity to upgrade their own equipment and to promote their software. If I'm not mistaken Bill Gates himself has donated at least a Billion Dollars to schools already, clearly indicating that this is not a problem to them.

Finally, the API, or Application Programming Interface, of Windows must be truly open, as ordered in a previous trial. A standards body, built up of non-Microsoft professionals skilled in programming, should oversee the API implementations. This should help reduce planned API changes designed to disrupt the competition (As Microsoft did with IBM's OS/2). Furthermore any "undocumented" API's found to be used by Microsoft Products such as Office should be met with a heavy fine. Clearly such ability to use features of the OS unavailable to others gives Microsoft and unfair advantage.

MTC-00015611

From: Paul Larson
To: Microsoft ATR
Date: 1/23/02 9:38am
Subject: Microsoft Settlement

I believe that the current proposed settlement in the Microsoft Antitrust case would not effectively deal with Microsoft's anticompetitive behaviour. As a software engineer who has worked in the computer field for about 8 years, I have been a first hand witness to Microsoft's behaviour. I have no doubt that Microsoft has set back the computer industry countless years through their anticompetitive practices.

I tend to be of the opinion that splitting Microsoft 3 ways (or possibly more) is the best way to deal with the problem, while still allowing those companies that form from the breakup good, solid business opportunities with competitors on equal footing. Although this would have been a win-win situation for Microsoft, its competitors, and especially the consumers, I have been sorry to hear that it was taken off the table for possibilities.

There are too many problems with this proposed settlement to list hear.

It doesn't punish them really, and in fact gives them better opportunity for worse anticompetitive practices in the future. It's no wonder that Microsoft is eager to accept this settlement. Either we can fix the problem now, and fix it right, or we will continually have to revisit these and more problems with Microsoft in the future. Please, for the sake of consumers and businesses alike, DO NOT accept the current settlement with Microsoft.

Sincerely,
Paul Larson

MTC-00015612

From: Jerry Heyman
To: Microsoft ATR
Date: 1/23/02 9:37am
Subject: Settlement objections

I'm a little confused here with the settlement. The judge ruled that Microsoft acted (and continues to act) in with a monopolistic nature, and none of the remedies proposed seem to punish/temper these behaviors.

First objection has to do with who Microsoft has to disclose the the information to (Section III.D): ISV, IHV, IAP, ICP, and OEM—where does it include the Open Software movement? The Samba project (www.samba.org) is he most successful Open Software compatibility product in the world, and based on the wording— they will not be able to get the necessary information to continue their compatibility.

Section III.H.3:

According to my reading, after 14 days, Microsoft can have the system revert to its pristine, Microsoft designed, interface with a simple query to the user. Does it also provide for a return back if the user uses the system for 14 days, decides to try Microsoft's version—and doesn't like it and wants to return to what they had when they first purchased the machine? Many people like to experiment—but they like to be able to go back to the original if the new doesn't meet their needs.

Section III.J.1:

Security issues. Since Microsoft itself cannot yet determine what parts of the Windows Operating System have security issues (see the latest MAJOR problem with Windows XP), how does this agreement stop Microsoft from making the security claim on almost any part of the Windows product?

Section V.B:

If Microsoft fails to live up to the agreement, the penalty is that they have to live with agreement for another two years? I'm confused—that is considered a penalty? If a felon is paroled, and violates parole, the parole isn't then extended for two more years—the individual goes back to prison. Why is this different?

Sincerely,
Jerrold Heyman

MTC-00015613

From:
bret.cullers@us.pwcglobal.com@inetgw
To: Microsoft ATR
Date: 1/23/02 9:46am
Subject: Microsoft Settlement

Dear Justices—

Previously, I have always been in Microsoft's corner of this debate as I have believed this suit was initially devised and supported by Sun Microsystems. However, after reading Scott Rosenberg's column in Salon.com about how well AMD and Intel have competed, I have changed my mind. It is time to force Microsoft to release the API's of its operating system. While it will complain that the API's constitute its "intellectual property", I have now come to the point where I believe that's bunk. If Microsoft wants to focus its efforts on the best operating system (Windows), then split the company with all the software applications being a new company and let Windows concentrate on systems. However, if you leave the applications and the operating systems together, then I have to agree that Microsoft has a monopoly and the

marketplace will not be adequately served in the future by it remaining intact. Just one person's opinion.

Respectfully,
Bret Cullers

MTC-00015614

From: Darren Young
To: Microsoft ATR
Date: 1/23/02 9:38am
Subject: Microsoft Settlement

The proposed Microsoft settlement will only hurt the country and computer industry. They have not become a huge company from hard work but by cheating other companies and people. You can change history for the better.

Darren

MTC-00015615

From: Baker, Kevin
To: Microsoft ATR
Date: 1/23/02 9:39am
Subject: Microsoft Settlement

The proposed settlement does not adequately address the wrongs that Microsoft was convicted for.

Kevin Baker

MTC-00015616

From: Jason Gibson
To: Microsoft ATR
Date: 1/23/02 9:39am
Subject: Microsoft Settlement

The proposed settlement is insufficient. It does not correctly address the issues at hand.

MTC-00015617

From: Tim Wallace
To: Microsoft ATR
Date: 1/23/02 9:40am
Subject: Microsoft Settlement

I am against the proposed settlement of the DOJ suit against Microsoft. Although Microsoft claims that they have innovated, those of us more intimately aware of the truth are not fooled. In fact, they have squashed far more innovative competitors with the kind of illegal actions of which they have been found guilty. Even worse, they have lowered accepted standards of reliability greatly, with the result being tremendous loss of productivity internationally as their operating systems crash and are compromised by numerous viruses. Any settlement needs to prevent Microsoft from continuing on this path of anti-competitive behavior. The proposed settlement seems far too weak to accomplish this necessary goal.

Timothy P. Wallace, PhD
3 Hilda Rd.
Bedford, MA 01730

MTC-00015618

From: sawilson@sawilson.com@inetgw
To: Microsoft ATR
Date: 1/23/02 9:40am
Subject: Microsoft Settlement

Dear DOJ,

I think the proposed Microsoft Settlement is a travesty. With the recent news that Microsoft has cardboard kiosks in Posts Offices around the country, and that US Postal employees are actually helping promote their products, I can't help but think the large amount of soft money donations they've made has helped them purchase a

slap on the hand. They are laughing at you, and this country. If I was the CEO of Microsoft, I'd be laughing at you.

Best Regards,
S.A. Wilson

The Digital Millennium Copyright Act in Plain English
<http://pineight.evilpigeon.net/rant/dmca/>

MTC-00015619

From: Gregory Slayton
To: Microsoft ATR
Date: 1/23/02 9:35am
Subject: Microsoft Settlement

Dear Judge:

I am very concerned about the proposed settlement that the Department of Justice has recommended in the Microsoft case. As a long-time industry veteran, it seems to me that MS has long established its reputation as an abusive monopolist—and the courts certainly agreed with this. Why should MS be left virtually scott-free to continue to abuse its defacto monopoly in Operating Systems? If you take a close look at their Passport concept it is very clear that they are planning to expand their monopoly well beyond the desktop but into every corner of the American economic system. While I don't blame them for trying to do this—they're just trying to maximize their millions (or should I say billions)...it is incumbent upon our government to protect its citizens and offer all competitors an open and level playing field. Thank you for your help in this important matter.

Sincerely,
B. Floyd
78247
4802 Roxton Ave
San Antonio, TX

MTC-00015620

From: Ernst, Ian (GEAE)
To: "microsoft.atr@usdoj.gov"
Date: 1/23/02 9:39am
Subject: Microsoft Settlement

As a professional in the programming industry, and as a degreed computer scientist, I must comment on the anti-competitive actions of Microsoft. Repeated Microsoft has acted to thwart competition by leveraging its various products in monopolistic ways which violate current laws. This practice has been, at times, creative and most certainly profitable. While this profit-taking, at the expense of the American public, has harmed them financially. The real damage has been committed on a fundamentally scientific level. Research into programming areas incompatible with Microsoft's operating system products is discouraged because of the barriers of entry to introduce products based on such research. Furthermore, Microsoft has proven that software quality is immaterial. Many times, they have release software which is clearly, and embarrassingly, lacking in even the most basic security features. Now that a significant portion of the infrastructure of American society is based upon these products, we are all at risk of the exploitation of these security flaws.

A fair settlement would:

1) repay the American public for their financial harm

2) allow the American public to access, modify and correct this essential part of our infrastructure (Windows operating systems, Windows Explorer and Windows office file formats) by publishing application interfaces (APIs) and source code for these products. Microsoft has worked diligently to assure that we use their products exclusively and have marginalized the profitability of those who compete with them.

Now, we must act to assure that our computing infrastructure is secure, stable and a foundation for our future society.

Sincerely,

Ian Ernst

Disclaimer:

I am speaking for myself and not my employer.

Ian Ernst

Ian.Ernst@ae.ge.com

GE Aircraft Engines

One Neumann Way MD-BBC7

Cincinnati, OH 45215-1988

Voice, Vmail 513 243 9226

Fax 513 243 8338

MTC-00015621

From: S. Vikram
To: Microsoft ATR
Date: 1/23/02 9:41am
Subject: Microsoft Settlement

Dear Sir,

I have been following the Microsoft Antitrust lawsuit from almost the beginning, and as a user who is well versed with both Windows as well as Unix systems, I didn't have much of a pre-conceived notion about the entire issue. I must say, however, that as I read through all the evidence presented at the trial (I actively followed the case), it became increasingly obvious to me that Microsoft had stifled innovation and the true entrepreneurial spirit. I was also convinced (by the clinical way in which they have constantly refused to do anything at all to correct their behaviour when it wasn't in their interest) that small companies with good ideas are doomed if a monopoly like Microsoft is allowed to persist. The latest settlement falls so short of curtailing their anti competitive behaviour, that I don't even know where to start. Having worked for long enough in the Silicon valley, I know the kind of thinking and the reasons behind the numerous lawsuits filed there for and against infringements of all kinds, as well as the reason why some of them are routinely flouted. Typically this occurs when the rewards are so much greater than the punishment for not complying with the law. I think in the present case, it is a foregone conclusion that the settlement is at best only a minor irritant, rather than a guide to good behaviour on the part of microsoft. I therefore request you to seriously reconsider the settlement, so that the true nature of innovation might not suffer.

yours sincerely,

S. Vikram.

MTC-00015622

From: CJ Kucera
To: Microsoft ATR
Date: 1/23/02 9:39am
Subject: Microsoft Settlement
To Whom it May Concern:

I am writing to express my displeasure at the current state of the proposed Microsoft antitrust settlement. I feel that, in its current state, the settlement does not adequately address the problems of Microsoft's anticompetitive behavior. There are so many loopholes that it would be trivial for Microsoft to continue the kinds of activities that got it into this situation in the first place. Please consider this message to be a vote AGAINST the proposed settlement. Specifically, there are problems with the definition of "API" that render most of the propositions dealing with APIs to be useless. Microsoft uses licensing schemes to specifically restrict the use of Open Source systems, which is not addressed in the settlement at all. The problem of Microsoft using OEMs to control the market is addressed, but doesn't cover several avenues of activity that Microsoft could use to continue its behavior. The list goes on.

Thank you for taking the time to read this message.

Sincerely,
Christopher J. Kucera
pez@apocalypsetech.com
Green Bay, WI

MTC-00015623

From: wmenzer@hushmail.com@inetgw
To: Microsoft ATR
Date: 1/23/02 9:41am
Subject: Microsoft Settlement

I am writing to give my comments on the Microsoft antitrust settlement. I believe this settlement is counter to the interests of the American public, deleterious to the American economy, and not adequate given the findings of fact in the trial.

Microsoft's anti-competitive practices are counter to the law and spirit of our free-enterprise system. These practices inhibit competition, reduce innovation, and thereby decrease employment and productivity in our nation.

Microsoft's monopolistic practices cause the public to bear increased costs and deny them the products of the innovation which would otherwise be stimulated through competition. The finding of fact which confirmed that Microsoft is a monopoly requires strict measures which address not only the practices they have engaged in in the past, but which also prevent them from engaging in other monopolistic practices in the future.

It is my belief that a very strong set of structures must be placed on convicted monopolists to insure that they are unable to continue their illegal activities. I do not think that the proposed settlement is strong enough to serve this function.

Thank you for your time.

MTC-00015624

From: Jon Reades
To: Microsoft ATR
Date: 1/23/02 9:37am
Subject: Microsoft Settlement
To Whom It May Concern,

I am writing to express my concern over the proposed terms of settlement for the Microsoft antitrust trial. Based on my understanding of the proposed terms of settlement, it seems clear to me that

Microsoft will remain to free to both stamp out competition and extend its existing monopoly into new software segments. My objections to the current proposed settlement fall into three broad categories:

1. Disclosure of existing APIs: the API disclosure terms appear to create financial and IP barriers that will prevent developers for what is currently Microsoft's *only* viable competition on the Intel platform (I speak, obviously, of the Linux operating system) from developing applications and products that are able to compete with Microsoft's own. The definition of Middleware and Middleware Product allow Microsoft not only to arbitrarily evade the intent of the disclosure agreement through the use of alternate distribution channels (e.g. downloading) and restrictive EULAs (such as the ones that do not allow Microsoft products to be used either a) on a non-Microsoft platform, or b) in conjunction with open source or shared source software products), but it also neglects to include the key underpinnings of Microsoft's extant monopoly maintained in large part through products such as Office and Outlook.

2. Disclosure of new APIs: the settlement would also do nothing to keep Microsoft from extending its Windows monopoly into new arenas via both its .NET initiative and its handheld and tablet-based computing initiatives. None of these are covered by the terms of the settlement, but it is clear from Microsoft's own marketing that they consider these areas to be crucial to their long term strategy.

If Microsoft comes to dominate the market for Internet-based services then not only will we have an important piece of the public infrastructure that is, again, dominated by a single corporation instead of a large body of competing companies cooperating through the auspices of a standards setting body, but it will be a piece of infrastructure bound to a single platform and operating system that has consistently demonstrated its disregard for both interoperability and security (see: Code Red, I Love You, Nimda ...).

3. Licensing terms: the proposed settlement does nothing to protect anyone other than the largest 20 OEMs from retaliatory methods by Microsoft—schools, state and local governments, mid- to large-size companies, and so on down.

Nothing prevents Microsoft from insisting that these bodies pay for the number of processors that theoretically *could* run Windows, nor from creating pricing schemes that lock out competing operating systems (such as has already been documented by Microsoft's new licensing terms in which the primary means of securing their best pricing schema is to promise never to use another operating system).

In addition, Microsoft would be able to construct pricing mechanisms that, while not directly affecting the pricing of Windows, would create incentives for OEMs to not supply additional OS options to consumers—discounts could be applied on the basis of sales of a different product such as Office (again!) or their Tablet OS.

In short, I strongly urge the U.S. government to return to the negotiating table with a more stringent and coherent set of

demands that will force Microsoft to open their operating system to competitors (who might work for corporations such as Sun or Apple, or who might be involved in the open source movement) in a way that will foster competition *not* through cosmetic changes (adding or removing icons from the desktop, for instance) but through interoperability that enables both non-Microsoft applications to interact effectively (i.e. to have the same access to the API as the MS applications teams) with the Windows OS, and non-Microsoft operating systems to interact effectively with Microsoft applications.

I am not proposing that Microsoft be forced to give away Word, Excel, or Visio (each of which does certain things very well), but I am proposing that they be forced to both a) make available the file formats of these industry-leading applications in a way that would enable competitors to arise, and b) that the APIs be published in a way that would enable competitors to support these applications on their own operating system implementations. Then, Microsoft would be forced to have both its applications and its operating system compete on their own merits (they're faster, more stable, respond more quickly, etc.) rather than on the basis of "Well, we really don't have any other choice since everyone else uses ..." Unless the proposed settlement is significantly strengthened I would predict that in less than ten years we'll be reading about another Microsoft anti-trust trial in the news, but by that time it will be too late to create competition in *any* of the fields that really matter.

Sincerely,
jon reades

MTC-00015625

From: Corey Dubin
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 9:39am
Subject: Microsoft Settlement
To Whom it may concern:

I do not believe the proposed settlement of the Microsoft antitrust lawsuit will be effective. The main reason I feel this way is because of the restriction the Proposed Final Judgment places on the use of released documentation. What I mean specifically is that if I am trying to write a piece of code to be compatible or to emulate certain Windows functionality I am not allowed to use the information Microsoft releases as part of the settlement. Now how is this helpful to encourage competition? Furthermore it seems to me that it would necessitate a split between developer teams working on Microsoft solutions and the team working on non-Microsoft solutions. In effect this to me seems like retaliation against companies developing for non-Microsoft solutions. Because of this Microsoft will continue its monopolistic behavior.

Corey Dubin
Network Administrator
Hyper Active, inc.
6221 Riverside Drive
Dublin, OH 43017

MTC-00015626

From: David Harris
To: Microsoft ATR

Date: 1/23/02 9:39am
Subject: Microsoft Settlement

To whom it may concern:
I am concerned that the tentative settlement between the DOJ and Microsoft, in its current form, is not going to be sufficient to keep Microsoft from continuing its abuses of monopoly power.

See <http://www.kegel.com/remedy/remedy2.html> for a list of concerns with this proposed settlement; I believe it raises some excellent points which merit review.

Yours,
David Harris
phred@io.com
5005 W. Frances Pl
Austin, TX 78731

MTC-00015627

From: Leif
To: Microsoft ATR
Date: 1/23/02 9:42am
Subject: Microsoft Settlement

The current settlement seems not to make adequate reparations to those competitors damaged by Microsoft's business practices. Furthermore, (and worse, in my mind), the settlement makes no significant provisions to prevent similar behavior in the future. This is short-sighted, to say the least.

As it stands, the settlement proposal is very disappointing, and I would encourage its rejection.

Leif Brown
2910 Hampton Road
Austin, Texas 78705-3210

MTC-00015628

From: mary.atkisson@tufts.edu@inetgw
To: Microsoft ATR
Date: 1/23/02 9:41am
Subject: Microsoft Settlement

To whom it may concern:
I am writing to protest the current proposed settlement of the Microsoft antitrust case. This is a bad deal for the consumer and for the software industry.

In specific, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices. Neither does this settlement further the goal of preventing similar abuses in the future. Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Sincerely,
Mary S. AtKisson
590 Main Street
Millis MA 02054

MTC-00015629

From: Mark Lenz
To: Microsoft ATR
Date: 1/23/02 9:42am
Subject: Microsoft Settlement

I have read over the proposed Microsoft Settlement, and am NOT in favor of it, in its current state. The settlement does not, in any way, penalize Microsoft for its past infringements of the law. Microsoft has been

declared guilty of past wrongs, and must now be held accountable in some measure. The current proposed settlement is unacceptable. Thank you for your time.

Sincerely,
Mark Lenz
2114 South Schaefer Street
Apartment 1
Appleton, Wisconsin 54915

MTC-00015630

From: Tom Janofsky
To: Microsoft ATR
Date: 1/23/02 9:40am
Subject: Microsoft Settlement

As a small business owner in the software development field, I am writing to you to express my opposition to the proposed Microsoft settlement. I don't believe that the penalties imposed provide enough punishment in regards to illegal acts committed, nor do I think that the proposed remedy provides a strong enough deterrent for future illegal behavior.

Thank you.
Sincerely,
Tom Janofsky
Tom Janofsky Consulting
880 N Bucknell St
Philadelphia PA 19130
tom@tomjanofsky.com

MTC-00015631

From: Dale Mensch
To: Microsoft ATR
Date: 1/23/02 9:40am
Subject: Microsoft Settlement

I am opposed to the proposed DOJ settlement because there appears to be no protection from past Microsoft practices that could harm Linux and other open source projects. I rely on this software for my consulting business and greatly fear that they will become difficult or impossible if Microsoft continues in the business fashion that started the antitrust proceedings.

Thank you for your time.

MTC-00015632

From: Jeff None
To: Microsoft ATR
Date: 1/23/02 9:42am
Subject: Microsoft Settlement

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices. Also, Microsoft has used its dominance to interfere with software that has been legally installed on its customer's machines. It was an axiom in the early 1990s that "DOS was not done until Lotus would not run." Microsoft also used its install programs to interfere with other operating system installs on the computer. I have personally experienced this with DR DOS and IBM's OS/2.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of its competitors is now also at 40%). This must be true for all

Microsoft product lines, before regulation is lifted.

Microsoft needs to be split into at least two separate companies, with all technical communication between the two taking place through publically available documentation, to insure that it no longer takes advantage of undocumented programming features that are not readily available to its competitors. Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition. Microsoft entered into a consent decree with the DOJ in, I believe, 1993, and promptly violated the terms of the decree and suffered no penalty for doing so. It is clear that the company has little regard for legal restrictions upon its behaviour, or for the governmental bodies charged with ensuring that compliance.

Microsoft's abuse of its position has harmed the entire computing industry. Prices are higher and competing alternatives are fewer. I say this as a professional programmer with more than 12 year's industry experience. I do not mind seeing products and companies disappear due to mismanagement and such, but it distresses me when it is due to abusive and illegal practices of a dominant firm.

Thank you for your time.

MTC-00015633

From: Tod Milam
To: Microsoft ATR
Date: 1/23/02 9:43am
Subject: Microsoft Settlement

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement.

I do not believe the measures are strong enough to encourage competition and prevent Microsoft from continuing their anti-competitive practices. One specific example is in section III.2:

"shipping a Personal Computer that (a) includes both a Windows Operating System Product and a non-Microsoft Operating System, or (b) will boot with more than one Operating System; or" where Microsoft is to be prevented from retaliating against OEMs who ship non-Microsoft Operating Systems in addition to Windows Operating Systems.

As written, this does not stop Microsoft from retaliating against an OEM who ships some Personal Computers with Windows Operating Systems and some other Personal Computers with a single non-Microsoft Operating System. The wording is too restrictive. Any OEM who wants to ship a Windows Operating System with any of their Personal Computers to ship it with *all* of their Personal Computers so that they avoid any retaliation by Microsoft. This completely undermines the original intent of the settlement.

There are many more similar items in the settlement, but even one should be enough to stop this from being accepted as the final settlement.

Sincerely,
Tod Milam
Software Engineer

League City, Texas

MTC-00015634

From: Arnold Hayden
To: Microsoft ATR
Date: 1/23/02 9:43am
Subject: Microsoft Settlement

To whom it may concern,

In regards to the proposed settlement of the US vs. Microsoft antitrust settlement, I believe that it is NOT in the best interest of our nation to go forward with the settlement. I believe that the settlement does nothing to correct the case that was proven against Microsoft. The settlement weakly puts into place safeguards that try to prevent further abuse. These safeguards are so weak and easily manipulated that Microsoft could litigate any possible opposition it wanted into the ground until stopping any infringement was too late. If an oversite committee has any way of enforcing any settlement against Microsoft, it needs real power.

Furthermore, the settlement does nothing to retribute the victims of Microsoft's actions. The net worth of Microsoft, including their 30 someodd billion dollars in liquid funds, is all blood money. This is a company that was built by unlawfully bullying other companies out of a market. Careers and lives were destroyed over the abuses that were upheald against Microsofts, and these wrongs should not go uncorrected any longer. Allowing such restitutions up to the civil courts only allows Microsoft to use their political and financial power, most of which was built upon lies and felonies, to be used to rob the victims once more. I ask for a complete re-evaluation of the proposed settlement. Microsoft must be held accountable for their actions. Microsoft has already violated my trust. Hopefully the Department of Justice and the Supreme Court won't do the same.

Arnold Hayden
Computer Science undergraduate
University of Texas at Austin

MTC-00015635

From: Ben Laakso
To: Microsoft ATR
Date: 1/23/02 9:43am
Subject: Microsoft Settlement

I believe that the proposed settlement is a bad idea, and gives big business the wrong idea.

ben

MTC-00015636

From: Immordino, Sam
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 9:43am
Subject: Microsoft Settlement

I feel the current proposed settlement is a bad idea. I have no affiliation with any of the players in the case. As a consumer I have spent many long nights trying to make software such as Quattro Pro, Lotus, and others work in MS Windows. It was blatantly obvious to me that Microsoft was not going out of its way to make sure these competitive programs worked in its OS. The solution to this problem is very simple.

First, Microsoft should not be allowed to incorporate/bundle any software into its OS that is not absolutely necessary to operate the

computer. Any other software packages such as Virus Protection, Firewalls, Browsers, Music Players, etc should be sold separately. Microsoft still gets to innovate and the consumers can choose what they want added to their OS. Second, Microsoft should not be allowed to include any code that either directly or indirectly prevents competitive software from working with their OS. Third, Microsoft should not be allowed to create proprietary file formats for the sole purpose of maintaining their market share; this behavior does not benefit the consumer.

Best Regards,
Sam Immordino
USG Corp. Research and Technology Center
700 North Highway 45
Libertyville, IL 60048-1296
Tel: (847) 970-5140
Fax: (847) 970-5299
email: simmordino@usg.com

MTC-00015637

From: Steve Anichini
To: Microsoft ATR
Date: 1/23/02 9:43am
Subject: Microsoft Settlement

I've been a professional software engineer for 8 years, and by professional necessity I am very familiar with Microsoft's actions over that period. I feel that when Microsoft relies solely on its technical prowess to compete, it helps the industry. The fact is too often Microsoft falls upon questionable legal and business tactics, and this hurts the industry. I feel the proposed settlement does not go far enough to deal with the latter. Specific issues that have affected me and the companies I've worked for: Microsoft discriminates against ISVs who ship Open Source applications: the following license terms accompany many Microsoft APIs and programming toolkits (for example, the Microsoft Platform SDK, the Microsoft Windows Media Encoder SDK, and the Microsoft X-Box SDK): "... you shall not distribute the REDISTRIBUTABLE COMPONENT in conjunction with any Publicly Available Software. "Publicly Available Software" means each of (i) any software that contains, or is derived in any manner (in whole or in part) from, any software that is distributed as free software, open source software (e.g. Linux) or similar licensing or distribution models ... Publicly Available Software includes, without limitation, software licensed or distributed under any of the following licenses or distribution models, or licenses or distribution models similar to any of the following: GNU's General Public License (GPL) or Lesser/Library GPL (LGPL); The Artistic License (e.g., PERL); the Mozilla Public License; the Netscape Public License; the Sun Community Source License (SCSL); ..." This language, whether or not it actually prohibits the use of Open Source software with various Windows components, produces a chilling effect with the various corporate legal departments of companies I've worked for—they don't want to take the risk of a lawsuit and just blanket prohibit using Open Source.

When working for a company that was entering a business relationship directly with

Microsoft, we were told straight out that the product we were developing could not include any Open Source technology and it could not use Sun's Java technology. Microsoft was just one of the many partners we worked with, and Open Source and Java were key elements of the technology we were working with. Removing these elements would have caused great expense to the company without compensation. As a result, the part of the deal which depended on Java (an interactive CD-ROM product) was cancelled. The company in question laid off 95% of its staff soon after.

I think Microsoft should be prohibited from discouraging/prohibiting use of competitor's products with Microsoft's products.

I think that the settlement needs to be expanded to force Microsoft to give up all its Windows APIs and file formats (Word, Excel) to some standardizing body. Patents that these technologies depend upon should be freely licensible. These formats and APIs should become public property—when this happens, competition can emerge for things such as Office on a more level playing field. Microsoft will still remain competitive in such an environment, but this will allow others to use this information to compete with Microsoft and keep it honest.

Steve Anichini

MTC-00015638

From: chris@chris-133.krsonline.com@inetgw
To: Microsoft ATR
Date: 1/23/02 9:44am
Subject: Microsoft Settlement

I would just like to say that the settlement offered by the 9 states and the DOJ is wholly inadequate to solve the Monopoly Microsoft holds on the software market. Unless there is something done to level the playing field and penalize Microsoft for what it has unlawful gained, then what is the whole point of this trail? Nothing in that settlement accomplished this. I do feel the remaining 9 states settlement offer is a more substantial remedy.

Rather than go into great detail, I refer to the following articles, which I feel speak from my personal perspective:

<http://www.cptech.org/at/ms/rnj12kollarkotellynov501.html>
<http://www.gnu.org/philosophy/microsoft-antitrust.html>

Thanks
Chris Davis

MTC-00015639

From: John Lusk
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 9:46am
Subject: Microsoft Settlement

The proposed final judgement is too lenient; Microsoft will not be prevented from unfairly using its monopoly position to stifle competition.

For open-source software (free software), the price of distributing that software will be determined by accumulated license fees, which can add up fast. This helps Microsoft by effectively raising the price of competing software.

More of Microsoft's APIs, protocols and file formats should be opened, royalty-free.

You should REJECT the proposed final judgement.

Thank you.

John Lusk

(jlusk4@yahoo.com

<mailto:jlusk4@yahoo.com> ,

john.lusk@canopysystems.com

<mailto:john.lusk@canopysystems.com>)

MTC-00015640

From: May, David (DW)

To: "microsoft.atr(a)usdoj.gov"

Date: 1/23/02 9:44am

Subject: Microsoft Settlement

The settlement as is is completely wrong. Many people's lives were RUINED because of Microsoft's actions. By one company's action, the progress in computer technology has been set back by generations. They should be required to pay something.

Regards,

David W. May

maydw@dow.com

Office: 713-647-4302

Cell: 713-480-5579

Fax: 713-647-4521

MTC-00015641

From: JSchwegler@tnstelecoms.com@inetgw

To: Microsoft ATR

Date: 1/23/02 9:44am

Subject: Microsoft Settlement

To whom it may concern:

The proposed Microsoft settlement is poorly thought out result of years of litigation by the US government, that will do little if anything to modify the company's past flagrant behavior in violation of federal antitrust regulations.

The purpose of antitrust remedies is to allow competition to flourish in a marketplace. Consider three components that comprise significant barriers to effective competition in the US operating system marketplace, which I will discuss below:

1. Compatible file formats.
2. Application availability/compatibility.
3. Network level interoperability.

Compatible file formats

Due to the dual lock Microsoft has on the market for both the operating system and office software, their file formats are used as standards for interchange of data. This is both internal to a company, and for interchange between companies.

Even if a company is willing to change its internal file formats (itself a major expense), it must still be able to communicate and exchange data with other companies. This is a severe lock-in which produces very strong resistance to change.

If Microsoft was required to publish complete and correct file formats for its software products, it would contribute to a significant lowering of the barrier to competition (but not sufficient of itself, see below). This matter is not addressed effectively by anything in the proposed settlement.

Application level compatibility

Consider a company that had sufficient skill available to develop an operating system in competition with Microsoft, perhaps based off of a base set of source code that is commonly available. It develops a set of user

interfaces that, while not identical to the Microsoft equivalents, is close enough to shorten the learning curve for new users.

That in itself is a significant piece of work. However, it is not sufficient because most of the use of an operating system is to run applications that allow users to get their daily work done. Providing a set of run-alike applications is an unreasonable burden on a company attempting to compete on the operating system level.

If the company had enough information to ensure that applications written for another operating system would run on the new operating system, then this would allow users to contemplate switching while still retaining the applications they are familiar with.

Application level interoperability requires compatibility in the application programming interfaces (APIs) provided to application programmers by the operating system. While the proposed settlement does provide for release of some APIs, the wording of the settlement and loopholes provided make it insufficient to ensure complete, correct, and timely publishing of APIs.

Network level interoperability

Few companies will carry out a major migration project at the level of replacing the operating system on every computer used in the company. This makes it very important that a new operating system be able to communicate effectively with any incumbent operating system, on matters such as identification, authentication, and data transfer.

The proposed settlement does require that network protocols be release to allow system interoperability, but with the large loophole that security or copy protection be excluded. Correct security implementations do not depend upon details of the algorithms involved (consider past and upcoming federal encryption standards). Instead security is maintained using one of a number of varieties of secret data, which are individual to a particular system or network, and not provided by Microsoft.

The language of the proposal could allow Microsoft to hold back important parts of their network protocols under the security provision, denying other operating systems access to identification and/or authentication by the protocols in use on a network primarily populated by systems (especially servers) running Microsoft operating systems and network protocols.

The settlement should provide severe restrictions on what type of protocol information Microsoft may not release, and that should not be anything as general as "security information".

In summary, the proposed settlement will do little to restrict Microsoft's behavior, or to encourage effective competition in the US operating system marketplace. Microsoft has repeatedly demonstrated that it will do anything necessary to dominate its marketplace, including violation of US law. If the settlement is not effective, then the company will have little reason to comply with US law in the future, as it will appear that the cost of violating the law does not exceed the benefits of maintaining and extending their monopoly.

Sincerely,

John Schwegler

email: jschwegler@tnstelecoms.com

MTC-00015642

From: Alen Peacock

To: Microsoft ATR

Date: 1/23/02 9:44am

Subject: Microsoft Settlement

I'd just like to add my voice to those expressing concerns regarding the proposed Microsoft settlement, as per the Tunney Act.

I am against the proposed settlement.

The proposed settlement:

1) does not contain sufficiently defined language to prevent Microsoft from exploiting those definitions ("API", "Microsoft Middleware", etc).

2) does nothing to give redress to Microsoft's current main competitor, namely Linux and other free software, nor does it give appropriate protection or means of recourse to companies built around free software against Microsoft's continuing anti-competitive practices.

3) provides insufficient stimulus for Microsoft to comply with the current, flawed settlement, and in fact gives Microsoft further advantage against competitors even if they don't comply.

For these and a host of other reasons, I encourage the court and the parties involved to rethink the proposed settlement. Microsoft has been found guilty. Justice requires that a fair price be paid.

Alen Peacock

Billerica, Massachusetts

MTC-00015643

From: Aaron Luttman

To: Microsoft ATR

Date: 1/23/02 9:47am

Subject: Microsoft Settlement

Greetings and Salutations,

I am opposed to the proposed Microsoft settlement for two simple reasons. The first is that it does nothing to rectify the situation. In fact, if Microsoft is required to donate software, the justice department will actually be INCREASING THEIR CLIENT BASE. That is supposed to curb unfair competition?

Secondly, it does nothing to punish them. It INCREASES THEIR CLIENT BASE. That is GREAT news for Microsoft. They will more than make up the cost of giving away their software when they sell the upgrades that the schools will need.

I think that the "Red Hat Proposal" is best. Require Microsoft to furnish hardware to schools, and let Red Hat supply the software (which is open source and therefore FREE anyway). That way schools will be able to upgrade at will to keep up with the times, without worrying about having to pay for the upgrades.

Aaron Luttman

MTC-00015644

From: Brad Hoyle

To: Microsoft ATR

Date: 1/23/02 9:44am

Subject: Microsoft Settlement

Microsoft is still up to its old tricks and doesn't intend on letting any company deliver an innovative competitive product. Take in point the legal action Microsoft has taken against Linux distributor "Lindows".

This product is using an open source operating system that could run some Microsoft applications. Microsoft is arguing based on trade mark infringement and I cant tell for the life of me how they can justify this. I admit that Windows and Lindows rhyme but that's it. If your a user that cant discern the difference between the two you most likely do not use a PC at all. I want more choice! I want more software security! Its up to the Federal Government to make this happen.

Than You
Brad Hoyle

MTC-00015645

From: Shad Gregory
To: Microsoft ATR
Date: 1/23/02 6:43am
Subject: Microsoft Settlement

To whom it may concern:

I feel that the proposed Microsoft settlement is does not do enough to protect the public interest and competition in the IT market. In particular, I feel that it is critical to force MS to share information concerning the Windows family of operating systems. A fair settlement would induce Microsoft to license it's Windows code to outside companies under fair conditions set by the government. This will allow consumers a wider choice for operating systems as well as acting as a check on Microsoft's attempts to force unfair licensing practices on its customers.

Whatever the remedies proposed, they will be meaningless if the government is not given the ability to punish Microsoft if they do not conform to the settlement. I see little in the settlement in the way of punitive measures.

Thank you for your time,
Shad Gregory

MTC-00015646

From: Brian Mason
To: Microsoft ATR
Date: 1/23/02 9:44am
Subject: Microsoft Settlement

To Whom it May Concern,

I am truly concerned about the proposed settlement in the current Microsoft anti-trust case. As a professional web developer I deal daily with high tech and the business environment, and am appalled at the lack of choice in the current desktop environment. Not only is the current situation not competitive, but the future of many new niches in the industry are in the sway due to Microsoft's new drive to bundle technology with Windows XP. I have purchased Windows XP, not because I feel it is a good product or because I want to support a company who makes good software, but because of Microsoft's desktop monopoly it is the product I will have to develop for in the future. The range of bundled Microsoft products, and the blatantly misleading and repetitive "suggestions" to sign up for further Microsoft services is absolutely amazing, and honestly leaves me more than a little concerned for the future of choice in personal computing. If given the opportunity Microsoft will leverage their current desktop monopoly to extend their reach into every high tech field they see as being potentially profitable in the future.

The settlement as proposed by the DOJ at this point does nothing to actively stop Microsoft from anti-competitive behavior in the future, and seem to lack any real way to hold Microsoft accountable for their actions. Any ruling must look not only to the past but to the future—Windows XP and beyond. Without very strict and enforceable regulations guiding the behavior of this acknowledged monopolist, the American people will have even less choice than they do now. I appeal to you as an American citizen to allow competition to flourish—please do not allow this settlement to go through.

Sincerely,
Brian Mason
Image Mason Design
P.O. Box 174
Hinesburg, VT 05461
(802) 482-6740
info@imagemason.com

MTC-00015647

From: Ed Ackerman
To: Microsoft ATR
Date: 1/23/02 9:45am
Subject: Microsoft Settlement

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Ed Ackerman
ed.ackerman@films.com
CC:edack@films.com@inetgw

MTC-00015648

From: Mike S.
To: Microsoft ATR
Date: 1/23/02 9:41am
Subject: Microsoft Settlement

As a user of an alternative operating system I believe I am among those who have the most to lose if Microsoft is allowed to continue their anti-competitive practices.

The settlement, as proposed, is worded in such a way that gives Microsoft many opportunities to circumvent any barriers placed on their business practices. Microsoft has done this once before with the 1995 consent decree and based on their attitude throughout these legal proceedings I have no doubt that they will do it again.

Microsoft must not be allowed to continue using their monopoly power to create pseudo standards based only on the fact that anything they do is rapidly distributed to 95% of the computing populace.

Open Standards must be maintained in order to allow people, like myself and the millions of other non-Windows OS users, to have access to the latest technologies and software applications.

Please do not let Microsoft leave with only their word and a loophole laden document to ensure they will change their ways, doing so would be a travesty of justice in this citizens eyes.

Michael Silverman
Plantation, FL

MTC-00015649

From: Harlan Rosenthal
To: Microsoft ATR
Date: 1/23/02 9:46am
Subject: Microsoft Settlement: Too Many Loopholes

Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Ms. Hesse:

I am a computer programmer with 22 years of experience in the field, using both Microsoft and non-Microsoft products. In the past few months I have read numerous documents and discussions of the proposed settlement of the Microsoft antitrust case. My reaction is simple:

This settlement is too lenient, and is too easy for Microsoft to escape.

My personal focus is standards. Microsoft has a history of "embrace and extend" which renders industry standards useless, and renders any product which actually conforms to the standard similarly useless. In the physical world, people would never buy a product that was nonstandard; would anyone buy a battery that was too short, or a light bulb with a different base? And how often would people change their light sockets? However, with software that is (a) not clearly understood by most people, (b) easily updated yet difficult to revert, and (c) updated "automatically" rather than through user understanding and selection, Microsoft has been able to make it appear that their unilateral changes to the standards constitute a new "de facto" standard *without* sharing that information either before *or* after the fact.

A simple and well-known example: Microsoft made their web browser accept forward slashes mixed with backward slashes in a particular command, where the standard calls for only one or the other. They said this was an enhancement permitting handling of "incorrect" pages; they even made the browser display the original text "corrected" if one asked to view the source. Then the next release of their web development tools used mixed slashes in that command. Of course, the pages produced worked fine with the Microsoft browser, but would fail on any other browser. And when users and developers tried to view the source, IT LOOKED CORRECT due to the browser change, even though it failed to comply with the standard. So not only did they break the rules, they DELIBERATELY CONCEALED that breaking of rules, in a way calculated to make other products seem to be at fault. As

I understand the settlement, all Microsoft has to do to escape its terms is change their nomenclature and/or numbering scheme and announce something as a "new and improved product", and it will be exempt from the restrictions on "existing and previous" products. This is much too weak. They also get to continue weaving applications and operating system together into one big morass, which lowers the quality and generality of both. The industry needs something more like the consent decree placed on IBM years ago, forcing complete separation of the operating system and applications development.

Truly yours,
Harlan Rosenthal

MTC-00015650

From: Larry Norris
To: Microsoft ATR
Date: 1/23/02 9:46am
Subject: Microsoft Settlement

The settlement with Microsoft is not only a bad idea, it could possibly make the situation even worse. Letting Microsoft get off the hook by letting them further spread their monopoly (giving away copies to schools) is stupid.

An actual settlement would involve something Microsoft would have to do that would benefit their competitors, not them. Microsoft has and is still acting like a monopoly (just try and get a computer from Dell, Gateways, etc.. without Windows). They have done severe damage to the computer industry and the penalty must in turn, be severe.

MTC-00015651

From: Thaddeus J. Beier
To: Microsoft ATR
Date: 1/23/02 9:45am
Subject: Microsoft Settlement

Dear Sir,

I've made my life writing computer applications for the last twenty-five years, and feel that I have to comment on the proposed settlement between the Department of Justice, several of the states, and Microsoft. It must not stand. I was very encouraged to see Judge Jackson's findings of fact and findings of law. While I wish that he had emphasized the Netscape aspect of the case a little more fully, it was clear that Judge Jackson found that Microsoft had violated the law, repeatedly, and without remorse—to the significant cost of the American people. As you no doubt know, these findings of fact and findings of law are still in place, Microsoft's appeal of these findings has failed utterly.

The proposed settlement before you is, simply, a travesty. It does nothing, or next to nothing, to ameliorate the massive abrogations of the antitrust laws that Microsoft perpetrated over the last few years, since the previous agreement with the Justice Department was made. Microsoft has in the past, and will undoubtedly in the future, bent any agreement to the point where it has no meaning or restraint whatsoever.

Any agreement between the government and Microsoft should be exceptionally clear, forthright, and unambiguous. While many feel that Judge Jackson's proposed remedy of

splitting the company in two was too radical, I disagree. It is unambiguous and clear, and no amount of legal hair-splitting would prevent that agreement from having the desired effect.

This desired effect is to prevent Microsoft from abusing its monopoly in Operating Systems to infiltrate and dominate other markets. This must be done, one way or another.

Please reject the current settlement. Allow the case to go to trial. Let a judge make the final verdict, in the best interests of the people of the United States, and with due respect to her laws.

Thaddeus Beier
Hammerhead Productions
January 23, 2002

MTC-00015652

From: Niall Walsh
To: Microsoft ATR
Date: 1/23/02 9:42am
Subject: Do drug dealers have to give free hits (for a while) to kids as a settlement? So why MS?

It is completely insane to allow any aspect of a settlement against Microsoft to allow them to strengthen their monopoly! Please insist that no aspect of the settlement involves anyone acquiring copies of Microsoft products. If any aspect of the settlement is to have a monetary value it should actually be cash with which the benefactors can choose what to do with it. To allow MS to supply (for example) 20 time limited copies of their software to a school is like accepting a settlement with a drug dealer which says he will give the first 20 hits for free to school kids! The settlement is meant to redress the imbalance created by the abusive monopoly OR punish the abusive monopolists, not to re-enforce their position.

Niall

MTC-00015653

From: Benjamin M. Hill 99
To: Microsoft ATR
Date: 1/23/02 9:45am
Subject: Microsoft Settlement

The proposed settlement is very poorly thought out. Microsoft will continue to strangle competition. The only settlement that would remedy the problem, in my opinion, would be to separate Microsoft into OS, Office, and .Net sections, all of which must publish fully open specifications between them.

MTC-00015654

From: Jonathan Vota
To: Microsoft ATR
Date: 1/23/02 9:45am
Subject: MS Settlement

The proposed settlement isn't enough. We need to go further. Microsoft needs to join the free world and should open source it's code for the rest of the world to develop.

MTC-00015655

From: Davin Carten
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 9:40am
Subject: Microsoft Settlement

I won't list my arguments here (the list is too long, and I'm not certain the content of this e-mail will be read), but having followed

the case I feel the SETTLEMENT IS NOT ACCEPTABLE. BTW, I own 20 shares of Microsoft stock, and that is the only stock I own that is not in a mutual fund. I should be biased toward MS, but even owning their stock I consider them a threat to the long-term well-being of our country.

Davin Carten
Partner
FG SQUARED
Austin, TX
78701

MTC-00015656

From: Michael Challis
To: Microsoft ATR
Date: 1/23/02 9:08am
Subject: Microsoft Settlement

I think the proposed settlement is shameful. As long as Microsoft can continue to leverage its monopoly to gain unfair advantage in all the arenas it competes in, I will think our government and system of justice is full of empty words but no rightful action. I believe the correct remedy would have been to split Microsoft into three companies. One for operating systems (Windows), one for applications (Office) and one for services (Internet, .NET, consulting and etc.) Then Microsoft couldn't leverage their monopoly in the first two to dominate the third. Please reconsider and do the right thing for America.

Michael Challis

MTC-00015657

From: Sebastian Szyszka
To: Microsoft ATR
Date: 1/23/02 9:42am
Subject: Microsoft Settlement

To whom it may concern,

I feel the proposed antitrust settlement between Microsoft, Inc. and the U.S. Department of Justice is not the right way to go. The last thing we want is to give a company (Microsoft) that has been deemed guilty of anticompetitive practices an even larger stranglehold on the market by contributing software for "free." It doesn't make sense to me to give Microsoft an even larger market share as a punishment for doing unfair things to other companies to gain market share. We should be looking at alternatives. Make Microsoft provide the hardware, and use Linux, a free, stable, secure and public Operating System. Or even make Microsoft purchase Macintoshes instead. No one but Microsoft will benefit from more installed Microsoft software.

Thank you very much for your time.
Sebastian D. Szyszka
Roselle, IL

MTC-00015658

From: John Lusk
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 9:47am
Subject: Microsoft Settlement

Oh, one thing I forgot to mention in my previous email urging you to REJECT the PFJ: you have a lot of mail encouraged by Microsoft urging the opposite. Please bear in mind that corporate email is probably circulating constantly at Microsoft, encourage employees to send you email.

John Lusk.

MTC-00015659

From: Lindell, Thomas
 To: "microsoft.atr(a)usdoj.gov"
 Date: 1/23/02 9:47am
 Subject: Microsoft Settlement
 My Sentiments exactly
 Subject: Microsoft Settlement
 To: Renata B. Hesse
 Antitrust Division
 U.S. Department of Justice
 601 D Street NW
 Suite 1200
 Washington, DC 20530-0001

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement. We agree with the problems identified in Dan Kegel's analysis (on the Web at <http://www.kegel.com/remedy/remedy2.html> <<http://www.kegel.com/remedy/remedy2.html>>), namely:

The PFJ doesn't take into account Windows-compatible competing operating systems

Microsoft <<http://www.kegel.com/remedy/remedy2.html#abe>> increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry.

The PFJ Contains Misleading and Overly Narrow Definitions and Provisions

The PFJ <<http://www.kegel.com/remedy/remedy2.html#def.a>> supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered.

The PFJ <<http://www.kegel.com/remedy/remedy2.html#def.j>> supposedly allows users to replace Microsoft Middleware with competing middleware, but it defines "Microsoft Middleware" so narrowly that the next version of Windows might not be covered at all.

The PFJ allows <<http://www.kegel.com/remedy/remedy2.html#def.k>> users to replace Microsoft Java with a competitor's product—but Microsoft is replacing Java with .NET. The PFJ should therefore allow users to replace Microsoft.NET with competing middleware.

The PFJ <<http://www.kegel.com/remedy/remedy2.html#def.u>> supposedly applies to "Windows", but it defines that term so narrowly that it doesn't cover Windows XP Tablet PC Edition, Windows CE, Pocket PC, or the X-Box—operating systems that all use the Win32 API and are advertized as being "Windows Powered".

The <<http://www.kegel.com/remedy/remedy2.html#info.requirements>> PFJ fails to require advance notice of technical requirements, allowing Microsoft to bypass all competing middleware simply by changing the requirements shortly before the deadline, and not informing ISVs.

The PFJ <<http://www.kegel.com/remedy/remedy2.html#info.timing>> requires Microsoft to release API documentation to ISVs so they can create compatible middleware—but only after the deadline for the ISVs to demonstrate that their middleware is compatible.

The PFJ <<http://www.kegel.com/remedy/remedy2.html#info.use>> requires Microsoft to release API documentation—but prohibits

competitors from using this documentation to help make their operating systems compatible with Windows.

The PFJ <<http://www.kegel.com/remedy/remedy2.html#info.formats>> does not require Microsoft to release documentation about the format of Microsoft Office documents.

The PFJ <<http://www.kegel.com/remedy/remedy2.html#info.patents>> does not require Microsoft to list which software patents protect the Windows APIs. This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users.

The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft

Microsoft <<http://www.kegel.com/remedy/remedy2.html#isv.oss>> currently uses restrictive licensing terms to keep Open Source apps from running on Windows.

Microsoft <<http://www.kegel.com/remedy/remedy2.html#isv.atl>> currently uses restrictive licensing terms to keep Windows apps from running on competing operating systems.

Microsoft's <<http://www.kegel.com/remedy/remedy2.html#enterprise>> enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which could run a Microsoft operating system—even for computers running competing operating systems such as Linux! (Similar licenses to OEMs were once banned by the 1994 consent decree.)

The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft

Microsoft has <<http://www.kegel.com/remedy/remedy2.html#caldera>> in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems.

The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs

The PFJ allows <<http://www.kegel.com/remedy/remedy2.html#oem>> Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

The PFJ allows <<http://www.kegel.com/remedy/remedy2.html#oem>> Microsoft to discriminate against small OEMs—including regional "white box" OEMs which are historically the most willing to install competing operating systems—who ship competing software.

The PFJ <<http://www.kegel.com/remedy/remedy2.html#oem.mda>> allows Microsoft to offer discounts on Windows (MDAs) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas.

The PFJ as <<http://www.kegel.com/remedy/remedy2.html#enforcement>> currently written appears to lack an effective enforcement mechanism. We also agree with the conclusion reached by that document, namely that the Proposed Final Judgment as written allows and encourages significant anticompetitive practices to continue, would

delay the emergence of competing Windows-compatible operating systems, and is therefore not in the public interest. It should not be adopted without substantial revision to address these problems.

Sincerely,

MTC-00015660

From: Michael Monasco
 To: Microsoft ATR
 Date: 1/23/02 9:46am
 Subject: Microsoft Settlement

I am against the proposed settlement. It does not punish the convicted monopolist sufficiently. Like the last time this went to court, this judgement will not alter Microsoft's behavior.

Mike Monasco
 President
 Cycle Software Services, Inc.
 952-886-6121

MTC-00015661

From: John Karakash
 To: "microsoft.atr(a)usdoj.gov"
 Date: 1/23/02 9:46am
 Subject: Microsoft Settlement

I believe that a "slap on the wrist" settlement with Microsoft is not in the best interests of the software field or, more importantly, that of the citizens of the United States. Using admittedly illegal practices, they have destroyed the competition which is the lifeblood of innovation. I believe that structural changes must be implemented and restitution must be paid for their past crimes and to hamper them in committing similar acts in the future.

John Karakash
 Lvl7 Inc

MTC-00015662

From: thouis@pixie.mit.edu@inetgw
 To: Microsoft ATR
 Date: 1/23/02 9:47am
 Subject: Microsoft Settlement

To Whom it May Concern:
 In my opinion, the settlement with Microsoft will not be effective at stopping Microsoft from employing anticompetitive practices. It should not be adopted without substantial revision.

Thouis Jones
 Cambridge, MA

MTC-00015663

From: Tom Rymes
 To: Microsoft ATR
 Date: 1/23/02 9:46am
 Subject: Microsoft Settlement

I would like to comment that I am personally opposed to the proposed settlement of the Microsoft Anti-trust trial. I feel the, among many other things, the proposed settlement "Closes the barn door after the horse has run out".

Essentially, the proposal provides remedies that would have served to stop Microsoft's past violations of the law, but that will not deter the company from committing further transgressions.

Thank you,
 Tom

MTC-00015664

From: Neeraj Tulsian
 To: Microsoft ATR

Date: 1/23/02 9:46am

Subject: Opinion on the proposed Microsoft Settlement

Dear Officer of the US Dept. of Justice,
I am a Software Engineer with a Master's in Computer Science. In my opinion the proposed settlement in the Microsoft Antitrust case is grossly inadequate for the seriousness of the situation.

The stranglehold that Microsoft has on the desktop software industry is painfully obvious to me since 1991 when I first started my career. Managers in companies make decisions to buy Microsoft products not because of the technical superiority of Microsoft's products, but because of the fear that any competing products will soon be driven out of the desktop market by Microsoft's strong arm tactics or their outright purchase of the company. Microsoft at best is a company that borrows ideas from competitors like Apple and quickly takes over all market share by price-cutting, give-away policies and packaging the new products with its operating systems.

As a developer of software I have seen many excellent companies become the victim of this anti-competitive behavior. More-over Microsoft uses its vast resources on drowning competitors in legal battles, thus resulting in smaller companies with limited financial resources quickly losing the battle.

In my opinion it does not make sense that the company with the lowest quality operating system has an ever expanding monopoly over the desktop. The average consumer deserves better than frequent system crashes, constant security problems and lack of a viable choice of the desktop. Microsoft's sole concern is its ability to make money and it has no interest in the long term competitive health of the computer industry, or the interests of the common citizen.

The proposed solution does nothing to remedy these problems and introduce realistic competition in the desktop arena, and punish the company that has already been proven guilty of monopolistic behavior. Similar measures introduced in the past had no noticeable improvement in Microsoft's monopolistic behavior, and I don't see any change in Microsoft's aggressive behavior.

The earlier proposed breakup of the company might be the closest we can get to introducing competition and rectifying the errors of the past.

I would urge the US Dept. of Justice to fight for the common man and not for the monopolistic Microsoft.

Neeraj Tulsian
Austin, TX
Sr. Software Engineer
M.S. Computer Science
ntulsian@ureach.com
US Phone 512-493-7346

MTC-00015665

From: Bryon Rigg
To: Microsoft ATR
Date: 1/23/02 9:47am
Subject: Microsoft Settlement

I just wanted to drop a note to clarify my disgust with the handling of the MS settlement. Microsoft is guilty of antitrust violations by using their monopoly standing to crush their competition, (see Netscape).

While they continue to talk about how they provide innovation after innovation, what they are really doing is finding innovations that others make and then use their monopoly position to manipulate and squash the creators and then take their ideas as their own. Don't believe me? See Apple.

The settlement is nothing more than a joke. What you are really doing is providing MS with the opportunity to increase their market share in the education sector as well as train tomorrow's adults to use MS products rather than expose them to alternatives.

MS whined about being broken up, saying that it destabilize the market and reduce shareholder value. Bull. I am a MS shareholder. The best example that I can think of that this is bull is the breakup of AT&T. At the time, no one was sure if it was the right thing to do. However, any stock holder that hung on to their shares will tell you that the value of their holdings of AT&T as a monopoly did not compare to the value of their holding of AT&T and the Baby Bells. Furthermore, the breakup did open up competition just as it was intended to.

As a stock holder, I would happily see a break-up of MS. I have complete confidence that the consumer, as well as the stockholders, would be better off.

MTC-00015666

From: jasonf@isfabrics.com@inetgw
To: Microsoft ATR
Date: 1/23/02 9:45am
Subject: Microsoft Settlement

I do not believe that the current settlement between Microsoft and the DOJ effectively addresses the problems with Microsoft's monopoly. While it is true that Microsoft worked hard to achieve what they have, they have begun to, in my opinion, abuse their power and act detrimentally towards the American people, American Business, and the computer industry in general. By bundling services with their OS, i believe that they prohibit other versions of that service to be able to market or sell their product effectively. I know you have heard this before, by other people posting letters, lawyers, etc, but I want you to imagine a world with open competition. Companies would have a greater need to innovate to get users to adopt their products and would make competition a little bit more about the product than about the hooks in the background. Other companies are prevented from effectively doing this with the way things are now. In a world of innovation though, new things, that were never before thought of would come to light, perhaps transforming the landscape again and creating new markets and such.

Microsoft is moving towards a subscription based service because it believes that it's customers have no choice but to accept their product and feels free to move in a direction to charge more money for less innovation. Face it, if you have a monthly cash flow and no competition, why innovate? It would be cheaper not to. My proposed remedies are this:

1. Force microsoft to open up their APIs and major protocols to major competitors so they can learn about the OS and develop products that work well.

2. Force Microsoft to completely open up their Specifications for their office file formats to lets competitors create interoperable software.

3. Force Microsoft to put netscape on the desktop as part of their OS software release.

4. Do not force microsoft to sell a stripped down version of the OS, but instead to make those parts of the OS which are not necessary (such as media player and I.E. uninstallable). I think it would be a bad idea to not have a web browser of some type on the desktop, because installing a web browser via FTP is hard and beyond the abilities of the average user.

5. Create a committee to oversee microsoft in the other parts of the settlement that the DOJ proposes, but empower this committee to impose large fines for non compliance, and enough oversight power to look at whatever needed aspects of the company and the software to do their job properly. This committee should last until microsoft no longer is a monopoly in the OS market.

6. Microsoft should loose the power to bundle their software together for new and emerging industries (such as using the PC for home entertainment), The software to do this should be sold separately on the shelves in another box at its own price. The oversight committee should be charged with identifying these new industries and the oversight to stop the bundling from happening with very large fines as the enforcement mechanism.

I state again that I disagree with the current settlement and that microsoft is a monopoly with so much power that equally strong measures are needed to put this company back in it's place. I work in the computer industry as a technician and can see first hand the damage that microsoft has placed on this industry.

Thank You for Listening
Jason Fox

MTC-00015667

From: don juan
To: Microsoft ATR
Date: 1/23/02 9:47am
Subject: Microsoft Settlement

I think the proposed Microsoft(MS) settlement is a bad idea. I do not think that it effectively punish's MS for their actions. I think that MS is taking advantage of the judicial system and the amount of time that it takes to get a court case through the system. When the public was first hearing of the anti-competitive practices that MS was using in the browser war against Netscape, Netscape was the #1 browser.

The judicial process took so long and MS continued in their anti-competitive ways that MS is now the #1 browser. I think MS purposefully dragged out the judicial process in this matter, they knew how long it would take to get the case through court. Due to the highly dynamic and accelerated nature of computer technology, MS would have web browser dominance by time any settlement was reached in court. Once they have browser dominance, what kind of disciplinary action taken against them would matter? They get fined a few hundred million? a few billion? What difference will that make when their browser is on the majority of peoples computers.

Any questions? please feel free to contact me.

Thank You

MTC-00015668

From: David W. Thurston
To: Microsoft ATR
Date: 1/23/02 9:50am
Subject: Microsoft Settlement

Since when in this great country of ours do we allow convicted criminals to decide their own punishment.

David W. Thurston

MTC-00015669

From: Richard Donald Kowalczyk
To: Microsoft ATR
Date: 1/23/02 9:47am
Subject: Microsoft Settlement

I want to make it known that I strongly disagree with the Microsoft anti-trust settlement. While there are numerous significant reasons that I feel this way, I will just mention one here. The settlement only requires Microsoft to disclose APIs to companies, which includes a minimum income, or something similar. Although I don't remember the details exactly, I do know that this would effectively eliminate the possibility of "free software" projects being able to properly interoperate with Microsoft products. Since Microsoft has stated, both publicly and in private (leaked memos) that they consider "free software" to be it's number one competition, excluding it from the settlement seems ludicrous. There is no reason that the APIs should not be disclosed to everyone, since their only use is to allow other software to properly interact with Microsoft software.

As a student, I cannot afford to buy expensive software. While there are plenty of other software options out there which do not have Microsoft's monopolistic prices attached to them, I am effectively precluded from using these options because of Microsoft's monopoly in many areas. I hope that a better resolution can be reached than the one currently being considered.

Signed,
Rich Kowalczyk

MTC-00015670

From: Brian J. Taylor
To: Microsoft ATR
Date: 1/23/02 9:36am
Subject: Microsoft Settlement

To Whom It May Concern,

I am writing this email to lodge my complaint against the currently proposed Microsoft Settlement.

After having read the entire proposed settlement located at <http://www.usdoj.gov/atr/cases/f9400/9495.htm>, I have come to the firm conclusion that the settlement is poorly written. What I have yet to determine is why this judgment has been so poorly written. The amount of problems is abysmal, and finding too little time to elaborate on all of them, I will pick two which I will discuss here.

1. Section III A needs revising to include the prohibition of Microsoft from punishing OEMs who choose to ship computer products which do not use a Microsoft Operating System.

2. The overall settlement should include provisions on Microsoft to release documentation detailing the file formats on files which are used/generated by any Microsoft operating system or application.

Section III A of the settlement

Here the government prohibits Microsoft from retaliating against any computer manufacturer who ships a computer which includes a competing operating system on the computer. However, it never specifies that Microsoft cannot retaliate against a computer manufacturer who ships a computer without a Microsoft operating system.

As a member of the technological community, it is often obvious to me how Microsoft conducts its business practices. If there is something Microsoft doesn't like, it will use whatever means it can to remove the offending item. We plainly saw this in the case against its rival in the browser arena, Netscape. Microsoft began to tie their Internet Browser with the operating system, configured it to be the default browser, then made it difficult to remove IE from the desktop. The end result has been that IE now dominates the market.

What are we then to conclude by the lack of restriction on Microsoft, a company which has been found to have engaged in Antitrust practices? Consider a scenario of a computer manufacturer who has a relationship with Microsoft, but chooses to operate a division which distributes PCs without using a Microsoft operating system. I can easily see where such a situation may arise if an OEM chooses to begin a Linux OS division.

Because of the lack of a restriction, Microsoft is left with the ability to exert pressure on the OEM to close down that division, or its business relationship with Microsoft would suffer. The OEM is left with little choice but to stop that division, and the other OS is never given a chance to grow.

Are we then to conclude that the only way an operating system is to grow is along with a dual installed relationship with Microsoft operating systems? Then how does Microsoft NOT influence technology and hurt the consumer? Section III A needs to be amended to include a clause which prohibits Microsoft from retaliating against OEMs who choose to ship computers without a Microsoft operating system.

Releasing Documentation on Microsoft File Formats

Perhaps one of the more egregious tamperings with technology that I find Microsoft capable of is the continual modification of the file formats it uses, making inter operability with other applications and operating systems difficult at best and impossible at worst. Because of the dominance of Microsoft within the operating system market, no other operating system stands a chance if it cannot develop non Microsoft products that work with files generated with Microsoft products. Take for instance Microsoft Word documents. These are normally found with the ".doc" file extension. Microsoft continually modifies the structure of the .doc file format to prevent their editing and use with other pieces of software such as Corel WordPerfect.

Corel was a case study in what happens with a company who chooses to compete against Microsoft in the word processing business. I cannot stress enough the number of times I had difficulties in opening and saving documents generated by Microsoft Word under WordPerfect. From a proprietary standpoint, Word documents deserve no protection on their file structure. The way that Microsoft Word operates is the true intellectual property, the files it save are merely pieces of data created by their users. So why does Microsoft continually change the file format? Simple, it makes competing applications and operating systems look like they do not work, thereby misleading customers that they must use Microsoft or Microsoft certified products.

If any other operating system is going to become competitive, it must be able to handle documents generated by Microsoft applications and operating systems. In order for this to occur, the Department of Justice must order Microsoft to open their file structure formats to the public, as they are modified for use within their own applications and operating systems. The lack of such a statement on the part of the Justice Department, makes the settlement that much weaker. I read newspapers, I follow the news, and I participate in several technology information forums. From discussions which arise from colleagues and friends, it amazes me the number of times I hear the opinion that the Department of Justice is settling with Microsoft with easy terms due to the nature of our economy. I find it ludicrous that the Department of Justice could so easily settle this case because there is a sentiment that somehow rightfully punishing an offender of the Antitrust legislation's would hurt the economy, and therefore we must somehow be lenient on the offender. Yet, it appears this may be actually happening.

I believe part of the economy's problems stem from corporation's abuse of business ethics and how they conduct themselves. Business nowadays is tending towards cut-throat maneuvering, decreasing customer care, and the policy that if you can't make a buck under normal conditions, you should litigate-litigate-litigate until you can put a competitor out of business and bring in fanciful amount of revenues through patent infringements.

Microsoft may not be the only company who conducts cut-throat business tactics, but it is a prime example of how a mega-corporation can influence the progression of technology, which ultimately hurts the growth of business and advancement. This settlement offers us the chance to prohibit Microsoft from further negative influences, but the condition in which the settlement currently is in offers nothing more than the Department of Justice could have had several years ago in an out of court settlement with Microsoft. I distrust Microsoft from being able to behave and act responsibly. I look upon the settlement with cynical eyes and believe that it will do NOTHING to punish Microsoft for crimes which it has been found guilty of in our courts of law. Please consider amending this document so that it may serve the purpose which it was originally intended, as a document which will bind Microsoft

from anti-competitive practices and ensures that other businesses, competitive products, and technology are allowed to flourish.

Brian J. Taylor
Software Engineer
Institute for Software Research
1000 Technology Drive
Fairmont, WV 26554

MTC-00015671

From: Scott Meyer
To: Microsoft ATR
Date: 1/23/02 9:48am
Subject: Microsoft Settlement

I would like to add my voice to the avalanche of complaints against the anti-competitive business practices of Microsoft. If there was ever a time to stand up against a tyrant, it is now, while they are still small. If not, we may set a dangerous precedent, allowing powerful corporations to dictate policy to the People of the United States.

Thank you.
Scott Meyer

Whistler: I want peace on earth and good will toward man.

Abbott: Oh this is ridiculous.

Bishop: He's serious.

Whistler: I want peace on earth and good will toward man.

Abbott: We are the United States Government. We don't do that sort of thing.

Bishop: You're just gonna have to try.

Abbott: Ok, I'll see what I can do.

Whistler: Thank you very much. That's all I ask.

1meyers@fontbonne.edu

MTC-00015672

From: Antonio Edmond
To: Microsoft ATR
Date: 1/23/02 9:49am
Subject: microsoft

My name is Antonio and I feel Microsoft should have a harsher punishment then they received. The way the punishment is designed so far is that they still have a lot to gain and nothing to lose. I feel there is no justice for that. If this would have been someone of a lower stature they would have received justice on a higher scale.

Antonio E. Edmond
1405 Galaxie Dr.
Dothan, AL 36301

MTC-00015673

From: John Cole
To: Microsoft ATR
Date: 1/23/02 9:45am
Subject: Microsoft Settlement

I wish to object to the proposed settlement with Microsoft and the DOJ. I find it hard to understand why the DOJ has determined that Microsoft is a company guilty of maintaining it's monopoly illegally, yet offers a settlement with such restrictive language that Microsoft will be able to use the proposed settlement to further it's monopoly in the future.

By allowing Microsoft to narrowly define what is windows in the settlement, and use the same Win32 API and marketing in every product they make, let's Microsoft dead end this settlements goals. Microsoft will simply launch a new Windows products outside of the definition and sidestep all remedies in this settlement.

Personally, I have found that Microsoft's words and actions have proven that this is an untrustworthy company, and any remedies that rely on Microsoft's willingness to live up to the spirit of the settlement will fail. I tend to favor the original ruling of breaking up Microsoft, however, I do not believe that two companies would actually help. I would like to see Microsoft broken into four or five companies (Microsoft Windows Inc., Microsoft Office Inc., Microsoft Development Products Inc., Microsoft Home & Games Inc., Microsoft Internet Applications Inc.) so that it would be impossible for Microsoft to resort to proven illegal tactics against competitors. I would expect all of the Microsoftlets would be very powerful competitors in their respective marketplaces, increase shareholder value, increase innovation over what I believe is the lowered expectations from Microsoft, and finally provide stable and secure software from the companies.

Thank you for your time, and I hope you consider my opinions.

John Cole
Internet Applications Corporation

MTC-00015674

From: Ronald Kronz
To: Microsoft ATR
Date: 1/23/02 9:48am
Subject: Microsoft Settlement

I think the proposed settlement of the Microsoft antitrust case is unwise because it fails to force Microsoft to abandon its long-established anticompetitive practices.

Ronald Kronz

MTC-00015675

From: Todd Stimpson
To: Microsoft ATR
Date: 1/23/02 9:47am
Subject: Microsoft Settlement
To whom it may concern;

I am terrified at the prospect of being held hostage by the Microsoft monopoly. I have the right, as a U.S. citizen, of freedom of choice. The government is required to guarantee that right.

Sincerely,
Todd Stimpson

MTC-00015676

From: Paul Lorenz
To: Microsoft ATR
Date: 1/23/02 9:48am
Subject: Microsoft Settlement

Attn: Justice Department <quoted from R. Cringley> Section III(J)(2) contains some very strong language against not-for-profits. Specifically, the language says that it need not describe nor license API, Documentation, or Communications Protocols affecting authentication and authorization to companies that don't meet Microsoft's criteria as a business: "... (c) meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business, ..." </end quote>

Since many of MicroSofts greatest competitors are Open Source, this effectively bars them from competition. Also why is MicroSoft, which supposed to be penalized, being allowed to decide anything, much less who will be allowed access to it's APIs? They are experts at weaseling out of things, and they will doubtless use any cause, however

flimsy to show a company is not "viable". Any company that is beyond reproach will doubtless not need access.

The settlement is a travesty and helps Microsoft, and does not penalize or address the root cause of the case, that being MicroSoft's monopolistic practices.

A 3 member panel to watch over MicroSoft is also ridiculous. First off, 3 people do not have the resources to watch over the behemoth that is MicroSoft and secondly, why is MicroSoft being allowed to choose it's watchers?

MicroSoft has been found guilty of illegally perpetuating a monopoly. Their monopolization should be hindered, not helped. The Justice department should be ashamed. This settlement has nothing to do with justice and everything to do with pandering to MicroSoft. This is inexcusable.

Sincerely,

Paul Lorenz
Rochester, NY
Software Engineer, NetSetGo Inc.

MTC-00015677

From: Fred Lovine
To: Microsoft ATR
Date: 1/23/02 9:47am
Subject: Microsoft Settlement

To whom it may concern,

The proposed settlement is bad idea. A better solution for the businesses, families and individuals of the USA is to break the Microsoft monopoly. Microsoft is an incredibly aggressive company that has regularly engaged in predatory pricing (Internet Explorer is free, which is new technology) and price gouging (Word for Windows 2002 is about \$300, which is old technology and should be part of the operating system by now).

I favor a solution that regulates Microsoft's future conduct as well as punishes Microsoft for past monopolistic and illegal activities. I propose that punitive damage be that the source code of some significant Microsoft product be released to the world under the GNU GPL. Either Windows 98 or Word for Windows 2000. Either product released to the world would allow all a choice between freeware and price gouging. This would further enable people and business to redirect cash that was destined for Microsoft to other parts of the troubled economy.

As for the regulation of Microsoft, I leave that for others to contemplate.

Thank you.

Fred Lovine
Chief Technical Officer
CityLinkWeb, Inc.
fred.lovine@citylinkweb.com
Phone: (978) 447-1393
Cell: (617) 750-2484
Fax: (413) 828-8295

MTC-00015678

From: Cory Steers
To: Microsoft ATR
Date: 1/23/02 9:49am
Subject: Microsoft Settlement

Hello.

I'd like to comment on the proposed settlement for the Microsoft antitrust lawsuit. I do not feel that the proposal is severe enough. Previous penalties placed on

Microsoft have failed largely due to the pace at which technology changes. I fear that the current proposal is doomed to a similar fate.

In short I feel that the punishment should be much more severe. Here are some ideas I have.

1. Force Microsoft to make its Windows API available to other software makers. That means all of the APIs available to all competitors.

2. As a possible addition to #1, split Microsoft Office into a separate company from Microsoft Windows. This will further level the playing field for competing products.

Here is a link to a website that has a lot of opinions by people who have thought a lot more about this than I have. I encourage you to take time to read their comments as well. <http://www.kegel.com/remedy/> Thank you for taking the time to read my comments, and those of others. I hope it will help shape a more appropriate settlement for the consumer.

Cory Steers
cory@steers.homeip.net

MTC-00015679

From: manof bread
To: Microsoft ATR
Date: 1/23/02 9:48am
Subject: Microsoft Settlement
To: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

As a citizen of the United States of America, I am writing to voice my dissatisfaction with the pending Microsoft antitrust settlement. It seems that the particulars of this settlement are concerned more with the political will and clout of the moment rather than the letter of the laws upon which the nation operates. I've always appreciated the fact that ours is a nation of laws, not of men. However, it seems in this instance that influence is being exercised more than good judgment. The settlement as proposed would appear to be a mere slap on the hand for monopolistic actions as well as tacit permission for continued strong-arm tactics by Microsoft, rather than a more adequate punishment which this corporation deserves. I would ask that you consider not accepting the settlement as it stands and instead pursue more stringent restrictions of Microsoft's future activities.

Thank you for your time in this matter.

Regards,
James R. Easterling
St. Louis, MO

MTC-00015680

From: Richard Cravens
To: Microsoft ATR
Date: 1/23/02 9:47am
Subject: Microsoft Settlement

I think the proposed settlement is bad idea.

MTC-00015681

From: Nutter, Mark
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 9:48am
Subject: Microsoft Settlement

With regards to the Tunney Act and comments on the proposed Microsoft settlement...

I find the proposed settlement disturbing. It seems clear from the evidence that Microsoft has used and continues to use a number of anti-competitive practices to establish an effective monopoly in the software marketplace, and is planning to use tactics that are questionable at best to exact payments from large and small companies for license fees that may or may not actually be due. That plus the impact on our economy of the various viruses that exploit all-too-common security weaknesses in Microsoft products combine to give me a dim view of our future should Microsoft's stranglehold on the PC software market go unbroken. And if they succeed in conquering the broadband media market they are currently targeting, then God help us all. If they manage to do to the Internet what they've done to Netscape, and HTML, and Javascript, and what they tried to do to Java, then it will truly be a Microsoft world.

I for one know where I *don't* want to go tomorrow.

Mark Nutter
Manager, IT Applications Development
Marconi
mark.nutter@marconi.com

MTC-00015682

From: Richard L. McKee
To: Microsoft ATR
Date: 1/23/02 9:28am
Subject: Microsoft Settlement

I think the settlement is a bad idea

MTC-00015683

From: Peter Ripley
To: Microsoft ATR
Date: 1/23/02 9:48am
Subject: Microsoft Settlement

I just wanted to voice my opinion on the revised proposed Final Judgment of Nov 6, 2001, US v Microsoft.

I do not believe that the proposal will be effective in restraining Microsoft from anti-competitive practices; they will still leverage their monopoly power on the OS to illegally thwart competitors in other arenas. Please consider strengthening the PFJ to further restrain and penalize Microsoft.

Thank you.
Peter Ripley
839 Carroll Street #5
Brooklyn, NY 11215
Peter H Ripley
v 718 638-7976
peter@solvient.com
Solvient, Inc.
m 917 364-1018
aim://hripple
Information Solutions
f 413 702-1978
<http://solvient.com>

MTC-00015684

From: James S. White
To: Microsoft ATR
Date: 1/23/02 9:49am
Subject: Microsoft Settlement

Regarding the Microsoft settlement, I do not believe the current settlement proposal is adequate. Microsoft has continued its abusive monopolistic practices, even in light

of the proceedings against them. I would like to see a settlement proposal that has some chance of putting an end to this. If you don't do something to stop them now, we will have to go through this again in a few years.

"I see in the near future a crisis

approaching that unnerves me and causes me to tremble for the safety of my country. ... corporations have been enthroned and an era of corruption in high places will follow, and the money power of the country will endeavor to prolong its reign by working upon the prejudices of the people until all wealth is aggregated in a few hands and the Republic is destroyed."

—Abraham Lincoln
James S. White
GX-Tech Inc.
james@gx-tech.com
Electrical Engineer
<http://www.jameswhite.org>
Caffeine is my anti-drug.

"The only thing necessary for evil to triumph, is for good men to do Nothing"
—Edmund Burke 1729-1797

MTC-00015685

From: Eric Christiansen
To: Microsoft ATR
Date: 1/23/02 9:48am
Subject: Microsoft Settlement
i think the proposed settlement is bad idea.
it does nothing to stop their monopoly.
nepenthe,
-eric

MTC-00015686

From: Alejandro Morales
To: Microsoft ATR
Date: 1/23/02 9:49am
Subject: Microsoft Settlement

I do not support the proposed settlement because I do not think it provides sufficient punishment to balance Microsoft's offenses, nor sufficient incentive to prevent them from doing the same in the future. Furthermore, the idea of punishing a monopoly by requiring them to extend their monopoly into the US educational system is incomprehensible.

MTC-00015687

From: Robert Thornburg
To: Microsoft ATR
Date: 1/23/02 9:49am
Subject: Microsoft Settlement

I would like to comment, under the Tunney Act, on the Proposed Final Judgement of the Microsoft case.

I do not feel that the proposed settlement is restrictive enough. It allows Microsoft many ways to continue anti-competitive behavior. It does not restrict Microsoft's from anti-competitive any business market other than PC software, and Microsoft has shown a great interest in taking over other markets. The proposed settlement does not have severe enough penalties if Microsoft fails to comply with it.

In order for a settlement to be beneficial to the citizens of the United States (and indeed the rest of the world) it must contain severe penalties for failing to comply with it, as well as restricting Microsoft's anti-competitive behavior much more severely, especially by preventing them from using the same illegal/

unethical actions from their past in new markets.

Sincerely,
Robert Thornburg
2574 Mass Ave
Cambridge MA, 02140
robert@thornburg.org

MTC-00015688

From: Jeff Greenfield
To: Microsoft ATR
Date: 1/23/02 9:49am
Subject: Microsoft Settlement

I think that the proposed settlement is a bad idea. There are many others who can better elaborate than I about the issues involved that affect the WINE application development, SAMBA application development, and other software that works with the API interfaces that Microsoft provides. The settlement does not sufficiently curb Microsoft's negative effects on these applications.

Jeffrey Greenfield, Grand Rapids, MI,
Systems Engineer, Calvin College

MTC-00015689

From: Jaime Riney
To: Microsoft ATR
Date: 1/23/02 9:50am
Subject: Microsoft Settlement

Dear Renata B. Hesse

I am writing today to express my concerns over the Microsoft Anti-trust settlement. I currently operate two computers on more or less a continual basis. I have two other computers that are older and have been salvaged from parts. On my primary machine, I have Redhat Linux installed which I myself use almost exclusively; on my secondary machine, I have Microsoft Windows; the two auxiliary computers are used for testing and developing, and are primarily loaded with Linux operating systems. I want to stress the fact that I am not a Microsoft Windows user. I have Windows on one machine out of necessity, for some things are more easily achieved through Windows and it is slightly more user friendly for my wife and guests, however, I am not an advocate of Microsoft and I not wish to finance their organization.

Microsoft claims that they are not a monopoly, yet they own ninety-five plus percent of the home user market. Microsoft claims fair business practices, yet they have been embattled on all sides from corporate interests to end-users. Microsoft claims to offer choices, yet works tirelessly to prevent competition even to the point of advocating laws that would make open-source software illegal.

Everything that Microsoft claims appears to be in opposition to reality. To date I know of only one company that will give you a choice of operating systems that you can receive with your new computer (desktop computers only). Every other company requires the customer to purchase a version of Microsoft Windows on a new computer or laptop. If a customer should require a new computer system, and that user had no intention of using the Windows operating system (as is the case for myself), that user will still be required to purchase a license and pay tribute to Microsoft for the right to

buy a mainstream commercial system, or else piece meal a system and pay significantly higher for a comparable machine. This current situation alone, in my opinion, is intolerable. Microsoft, for years, has bilked the government, corporations, and end-users for an operating system that cannot be definitively proven to be superior in performance and capabilities than a free operating system that has largely been worked in peoples spare time, at least until the adoption of companies like Redhat. The only claim to their success is there abusive and strong-arm tactics that they used in the business world. Namely, exclusive licensing agreements, leveraging huge financial and legal assets against smaller struggling companies, and a sustained, false campaign against a free alternative to their proprietary software that likens advocates of open-source software to criminals. Forgive my digression, but can I sue them for libel? Not likely, their flock of legal dogs would squash me in a heartbeat.

I am in favor of sever punitive damages against Microsoft. I would like to see the company broken up into smaller organizations, and fines assessed that are appropriately punishing to a company with enormous cash assets. In my opinion, Microsoft is the single largest impediment to progress in this country. Microsoft says you can advance technologically, however, you must do it their way or not at all. I think it is time to take that choice away from Microsoft and give it back to people and the industry.

I do not feel that the remedies proposed in your settlement go far enough to punish Microsoft. In fact I am concerned with the idea of recognizing Microsoft as a legal monopoly that is sanctioned and watched over by government. My fear is your solution will give Microsoft a favored status that will actually promote the continued expansion into more and different market shares. Microsoft is a monopoly, the solution is to punish the company and to disable their ability to continue to monopolize markets.

Sincerely
Jamie S. Riney
P.S. These viewpoints are entirely free and may be copied, used, modified, or added to as wished under the principles of an open and free interchange of information and ideas.

CC:members@digitalelite.com@inetgw

MTC-00015690

From: Josh Simon
To: Microsoft ATR
Date: 1/23/02 9:50am
Subject: Microsoft Settlement

I object to the proposed final judgment in the Microsoft case (the Tunney act). It's a bad idea.

-j

MTC-00015691

From: Jason Zwolak
To: Microsoft ATR
Date: 1/23/02 9:50am
Subject: Microsoft Settlement

I think the proposed settlement is a bad idea.

Jason Zwolak (Masters in CS, working towards PhD)

3700 Richmond Ln NW Apt B
Blacksburg VA 24060
Affiliation: Computer Science Department
of Virginia Tech

MTC-00015692

From: Jeremy Pastore
To: Microsoft ATR
Date: 1/23/02 9:51am
Subject: Microsoft Settlement

i think this settlement is a bad idea it is too vague and/or lenient and will not solve the issues that it attempts to resolve. with it's approval,

microsoft will continue to leverage its operating system in every area of it's business. the public will continue to be forced into buying the same limited line of inferior products that can only be used on the same inferior operating system...

thank you,
Jeremy Pastore

MTC-00015693

From: Matthew Muzzi
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 9:49am
Subject: Microsoft Settlement
Microsoft is a monopoly. This is a simple fact. The settlement is a bad idea.

MTC-00015694

From: Milan Hejtmanek
To: Microsoft ATR
Date: 1/23/02 9:50am
Subject: Microsoft Settlement
To Whom It May Concern:

As a university professor who has used personal computers daily for the past fifteen years, I would like to comment on the proposed settlement.

I am not in favor of it in its current state. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors. Over the past decade I have been appalled at the inhibition of competition created by Microsoft's business practices: the decline of Netscape Navigator is one example, the lack of choices in word processing programs is another. In many ways, MS Word is bloated and mediocre—in its ability to handle foreign language scripts, for example—but Microsoft's near-complete dominance of the operating system market has given it too much market leverage in application software for other companies to compete successfully. Who would now dare (or could find the capital?) to start up a company marketing a new word processing program, regardless of its manifest superiority? MS competes only against itself at present.

I urge you to find an effective way to force Microsoft to allow genuine competition.

Thank you.

Sincerely,
Milan G. Hejtmanek
2200 Benjamin Franklin Parkway
Apt. 1505A
Philadelphia, PA 19130

MTC-00015695

From: Todd
To: Microsoft ATR
Date: 1/23/02 9:51am
Subject: Microsoft Settlement

To whom it may concern:

I would like to take advantage of the public comment period and speak my opinions regarding the Microsoft antitrust case. I am sure you have received many of these letters, and are not concerned about hashing over Microsoft's guilt or settlement shortcomings, so I will avoid these topics.

First off, I am a network administrator for an outdoor equipment distributor, and I feel that it is not only my job but also my interest to follow this case and be involved. I have been watching this trial closely since its origin, and would like to think I have an educated view from a business and technical standpoint, though not so much from a legal perspective.

In my five years of network administration experience I have used many of Microsoft's operating systems, programs, and equally as many systems from their competitors. Though I will implement any given system that fits the niche in which it is being used for, be it Microsoft or not, it would greatly please me, the corporation that I work for, and all of my colleagues to see a fair market and competition against Microsoft. Therefore I believe it is in the public interest to resolve this case in an effective manner.

Now I would like to make a few comments about Microsoft's monopoly and the settlement that will be implemented. Microsoft has roughly 95% of the desktop Operating System market; this is their cornerstone, and it is huge. They can control what nearly every computer can and can not do. This is not necessarily illegal, until they abuse it. They abused it to win the web browser battle.

And they did win. It is all but over, granted I don't use IE, but I am a small percentage. I think that it would certainly be appropriate to punish them for this action, but far more important to prevent future abuse. They have already won the browser battle, so putting restrictions on them according to what they have done in the past is not enough. We have to predict what they will do in the future to expand their monopoly illegally. To do this, we have to look at who they will compete against next. I think this would be IBM, Red Hat Linux, and other Unix variants. To ensure fair competition there are two major points that must be addressed in any settlement, in addition to the several others that are being proposed concerning vendors and policies.

First point: In almost every corporate computer network nearly 90% of the desktops run a Windows operating system. This is a monopoly, and Microsoft will make attempts to use this monopoly to expand their server market. To prevent this, all network protocols that a Microsoft desktop operating system (Windows9X, WindowsME, Windows XP, Windows 2000 Professional) uses to communicate with a server must be documented, updated regularly with any changes, and most importantly made available to ANYBODY who wants them. If Microsoft gets to pick and choose who gets access to this documentation, then it will not be effective. I should not be forced to buy a Microsoft server just because I have a network of Microsoft desktops. I should have the freedom of choosing an IBM server, a Sun

server, a Linux server, or even an Apple server. There is a decent amount of freedom of choice in this area now, and that is why action must be taken now to prevent Microsoft from abusing its monopoly of desktops and gaining a monopoly of server operating systems.

Second point: Businesses should have the freedom to use any other desktop operating system along with Microsoft desktop operating systems. You might say that the freedom is there, but I disagree. Microsoft's monopoly in office applications prevents any user who wants to communicate with others from using an operating system that does not have Microsoft Office (anything other than Windows or Macintosh). Microsoft should be forced to document, and disclose to everybody, all file formats used by Microsoft Office. Microsoft would argue that it is not illegal to have proprietary file formats, and this is true, however I think that Microsoft has abused this illegally. Microsoft constantly changed the file format with the intention of breaking any other application that attempts to read them. A perfect example is Corel. Microsoft's constant changing of their file formats, with the intention of breaking Corel Office's compatibility, has severely damaged Corel's business, and, since I am from Utah, my local economy as well. It comes down to one point: Microsoft has a monopoly in Office software, this monopoly removes my ability to choose another desktop operating system, and therefore illegally maintains Microsoft's monopoly of desktop operating systems. In closing, I say that all are surely in agreement that the resolution of this case is of great importance, not just now but for many years to come.

This suggests a careful and deliberate penalty is far more important to the health of the nation than is a hasty one.

Thank you for listening to my opinions,
Jeffrey Todd Morrey
tmorrey@earthlink.net
3037 E Banbury Road
Salt Lake City, Utah 84121

MTC-00015696

From: Ari Turetzky
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 9:51 am
Subject: Microsoft Settlement
Justice should not have a price tag!
Please do not let Microsoft buy their way out of this.

Thank you,
Ari Turetzky
Systems Support-Development Team Lead
Illinois State University
438-3738
mailto:abturet@ilstu.edu
<mailto:abturet@ilstu.edu>

MTC-00015697

From: tod@wt6.usdoj.gov@inetgw
To: Microsoft ATR
Date: 1/23/02 9:51 am
Subject: Microsoft Settlement

To whom it may concern ->

I'm writing to you about the proposed settlement between the Justice Department and Microsoft.

I like many in my field (I'm a programmer/consultant), I do not feel that the settlement,

as proposed, will do much, if anything, to force Microsoft to modify its anticompetitive behavior. There are several outstanding issues that the settlement only (very) narrowly addresses.

If Microsoft has shown anything over the years of interaction w/ the Justice Department is that they will not do anything out of good faith. Any settlements must have clear and succinct behavior modifications in it or it will be meaningless.

For reference: <http://www.kegel.com/remedy/letter.html>

Thanks,
todd

MTC-00015698

From: JC Pollman
To: Microsoft ATR
Date: 1/23/02 9:51 am
Subject: Microsoft Settlement

The current proposed settlement will strangle the computing industry and ensure a monopoly! Why do you do this?

JC Pollman

MTC-00015699

From: Dan Moore
To: Microsoft ATR
Date: 1/23/02 9:52 am
Subject: Microsoft Settlement

To whom it may concern,

I wrote once before on the topic of Microsoft's proposed donation to public schools and why I felt that the donation of MS software was detrimental to public education, but I would like to add that the Microsoft Settlement as it now stands does little or nothing to limit Microsoft's potential for future anti-competitive behavior. Rather than re-inventing the wheel, I'd encourage the careful examination of Dan Kegel's open letter to the DOJ which I have signed. Thank you for your time.

-Dan

Below is the text of my letter of 12/14:

(I'd like to add to this letter that my wife and I have been spending money out of our pockets to make copies of reading packets for her students at the local Kinkos. This is due to the dilapidated condition of the photocopier at her school. We've spent \$80 this year on making copies for students. I am currently attending school and working and our resources are limited. My wife is considering cutting things out of her curriculum, because we cannot afford to continue supporting these projects out of our own funds.

The money spent each year on Windows Licenses would easily buy the school a new copy machine, thus relieving us of this burden and allowing my wife to teach her curriculum in the most effective way possible. I believe this misappropriation of public funds to be criminal and call again for public schools to only use software that is freely available.)

To whom it may concern,

I am a computer programmer who has worked as a system administrator and a technical support provider for unix, windows, and macintosh machines. I'm currently working on an electrical engineering degree from the University of Utah. I've been very concerned about the

Microsoft Settlement currently proposed by the Department of Justice. The Microsoft Windows Operating System is uniquely unsuited to the public education sector. I believe this to be true for a number of reasons:

1) There are several very good Operating Systems available free of cost (all of the distributions of both Linux and BSD can be obtained for free, the GNU Hurd will soon be freely available). My wife teaches seventh grade english and I believe it's evident that there are many ways in which the funds allocated for public education could be better spent than on complicated and crippling expensive licenses.

2) Microsoft software makes an effort to hide from the user many of the fundamental processes that a computer routinely performs in day to day operation. The objective of hiding these precesses is to make a computer easier to use and probably accounts, in large part, for Microsoft's success in the market, but does not seem suited to educating young people about how computers work. If a person can use a unix clone operating system (such as Linux, BSD, or Hurd) that person can easily adapt to Microsoft software and is often more competent than life long Microsoft users. As the goal is education it seems apparent that unix clones are the better alternative.

3) Most operating systems in use today (including the MS Dos Operating system upon which the windows operating systems are based) are based on Unix. This makes it a very easy jump from Unix to any other Operating System.

4) The freely available software is most often willing to furnish the source code for the Operating Systems and all applications. The educational value of this for Computer Programming students cannot be overstated. For students to be able to examine the source code of professionals will help produce a generation of skilled, creative programmers with very professional coding styles.

5) Microsoft is a for-profit corporation. Adam Smith warned of the dangers of Government Sponsored Monopolies. To place Microsoft Software in schools is a government endorsement of their product. This could certainly viewed as a sanction. There are many distributions of operating systems furnished entirely by not-for-profit volunteer organizations. (Look at www.debian.org for starters). The use of these non-corporate operating systems would help to protect capitalist ideals of a free market and of no government endorsements of corporations.

Taking into account the considerations that makes Microsoft software unsuitable for public education, I feel strongly that the anti-trust settlement ought to be altered such that Microsoft makes their contribution to public education entirely in computer hardware, and that software better suited to public education be selected by schools to be put on those machines.

Dan Moore
Developer
SandStar Family Entertainment

MTC-00015700

From: bart hubbard

To: Microsoft ATR
Date: 1/23/02 9:51 am
Subject: Microsoft Settlement

I believe that the settlement proposed is a poor solution.

-bart hubbard

MTC-00015701

From: Timothy Preston
To: Microsoft ATR
Date: 1/23/02 9:51 am
Subject: Microsoft Settlement

I believe the proposed Microsoft settlement is a bad idea. Microsoft has ignored similar settlement terms in the past, and has shown little regard for the seriousness of their crime throughout the trial. The settlement offer currently on the table represents a negligence in the duty of the Attorney General's office in protecting the American people from this type of criminal behavior. It is sad indeed when a corporation can become large enough to buy out the integrity of the US government.

Tim Preston
tpreston@alumni.princeton.edu
<http://homepage.mac.com/tpreston>—Tori Amos

"And is your place in heaven worth giving up these kisses?"

MTC-00015702

From: Greg Lim
To: Microsoft ATR
Date: 1/23/02 9:52 am
Subject: Microsoft Settlement

Greetings to the US D.O.J.

I speak for myself and do not represent anyone, though I believe that my opinion matches that of many of my colleagues. Simply put, the settlement does not go far enough.

1. There appear to be little or no penalties for non-cooperation.

2. Loopholes. Someone check this. I've seen plenty of essays on the settlement listing large numbers of possible loopholes.

3. We need *Full* disclosure of *all* API's with extremely heavy penalties for noncompliance. An API is an interface, which provides for interoperability. Disclosing these puts no penalty on a fairly-behaving Microsoft.

4. File formats need to be documented. A user's data belongs to the user. If a user cannot get a format for the file his/her data is stored in, then he is totally dependant on the program used to operate on the data.

5. Non-Microsoft operating systems, and non-Microsoft licensing schemes are discriminated against. I myself have seen EULA's and used products at work (Visual C++ for example) that only allow the creation of programs that run on Microsoft systems, even though there is *no* technical reason for this. These are just a few of the problems with the settlement. I hope that it will be reviewed more carefully. I personally am not in favor of a breakup yet, but if it does need to happen, it should be:

1. in addition to everything listed in the settlement
2. one of the penalties for non-cooperation.
3. along the lines of:
 - a. development software
 - b. office and other application software

- c. database software
- d. operating systems

Here is a final set of suggestions. Microsoft should be legally blinded as to who it is dealing with.

1. All buyers should be able to get the same pricing. For ex. If Monster OEM can get a product for \$100 in qty's of 100 then Tiny OEM as well as Joe user should be able to as well.

2. Microsoft should not be able to remove first-sale rights though any means. Once an OS licence is sold to an OEM, the OEM can bundle whatever else on the PC he/she wishes. Resale is *always* possible.

3. Microsoft should be prohibited from ever making note of competitors's products, licensing schemes or any other identifying marks in their EULA's and OEM contracts.

Thank you for reading this far!

If you have questions for me, you can contact me at my place of work:

glim@infistar.com
-Greg Lim

MTC-00015703

From: Bernard J. Duffy
To: Microsoft ATR
Date: 1/23/02 9:52 am
Subject: Microsoft Settlement

I am strongly opposed to the proposed anti-trust settlement that the United States has negotiated with Microsoft.

Microsoft has worked hard to make intertwined, inflexible licensing and poor interoperability an industry norm.

Microsoft today is no different than Standard Oil & Carnegie Steel 100 years ago. Please reconsider taking harsher action against Microsoft.

MTC-00015704

From: Mannisto, Keith
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 9:50 am
Subject: Microsoft Settlement

The settlement proposed in this case against Microsoft, does NOT consider the Public interest in the least. It serve only to extent the HOLD that MicroSoft already has on the general computer user.

I would like to propose that a provision to separate the MS-Windows Graphical Users Interface (AKA: GUI) from the underlying Operating System (AKA: OS) also be added to the agreement.

Thank you for your time in this matter.

Sincerely,
Programmer/Analyst
Keith Mannisto
1027 Springfield Dr.
Northville, Mi 48167-3323
CC: "mannisto(a)mediaone.net"

MTC-00015705

From: Tod Schmidt
To: Microsoft ATR
Date: 1/23/02 9:51 am
Subject: Microsoft Settlement

To whom it may concern,

This settlement is a not a good proposal to enhance competetion or bring more choice to consumers. It does not address the main issues regarding Microsoft's monopoly. The best way to do this is to require Microsoft to publish it's file formats and proprietary standards to the public. This would allow

people to communicate with Microsoft products using other operating systems, hence allowing a real choice in what to use. This would not hinder Microsoft's ability to compete on its own merits. The operating issue is not as important as the use of the Microsoft Office products and Outlook/Exchange to further its monopoly. Opening these standards would allow a level playing field without undue restrictions on Microsoft and its ability to innovate. This would not require an undue burden of enforcement on the government or Microsoft. I feel this would be an excellent move for consumers and, frankly, Microsoft. I hope these concerns are taken into consideration when reviewing this settlement.

Todd Schmidt
Network Engineer
Cable and Wireless
todd.schmidt@cwusa.com
(wk) 703-760-1765
(cl) 703-869-4994

MTC-00015706

From: Chester Hoster
To: Microsoft ATR
Date: 1/23/02 9:56 am
Subject: Microsoft Settlement
This settlement is a bad idea.

MTC-00015707

From: Kelly, Dan
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 9:47 am
Subject: Microsoft Settlement

I have read about the proposed settlement, and I am not in favor of it in its current state. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors.

Dan Kelly
Information Services
ext 9030
BE&K—Delaware
132 Woodlake Drive
Marlton, NJ 08053

MTC-00015708

From: jrennie@ai.mit.edu@inetgw
To: Microsoft ATR
Date: 1/23/02 9:53 am
Subject: Microsoft Settlement

I think the proposed settlement is a bad idea. Although it encourages Microsoft to become less monopolistic, Microsoft's history shows that if there is any legal-ish way for it to retain its monopoly, it will. I would like to see a complete separation of the operating system and applications divisions. Such a separation would help to expose collusion between the divisions for what they really are and may eventually lead to a competitive operating system market. If this is not possible, I would still be happy to see restrictions put on Microsoft's business practices that are stronger than those currently proposed.

Thank you,
Jason Rennie
44 Grove St.
Belmont, MA 02478
CC:jrennie@ai.mit.edu@inetgw

MTC-00015709

From: Andrew.M.Park@clev.frb.org@inetgw

To: Microsoft ATR
Date: 1/23/02 9:50 am
Subject: Microsoft Settlement

The American consumer and citizen will be cheated out of justice if the proposed Microsoft antitrust suit is allowed to settle in its current form. Microsoft's business practices are truly anti-competitive and the company must be contained, punished, and reformed. Though I should comment on specific portions on the settlement that I don't agree with, I feel that the following points are the most outstanding:

The PFJ doesn't take into account Windows-compatible competing operating systems:

—Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry.

The PFJ Contains Misleading and Overly Narrow Definitions and Provisions:

—The PFJ supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered.

—The PFJ supposedly allows users to replace Microsoft Middleware with competing middleware, but it defines "Microsoft Middleware" so narrowly that the next version of Windows might not be covered at all.

—The PFJ allows users to replace Microsoft Java with a competitor's product—but Microsoft is replacing Java with .NET. The PFJ should therefore allow users to replace Microsoft.NET with competing middleware.

—The PFJ supposedly applies to "Windows", but it defines that term so narrowly that it doesn't cover Windows XP Tablet PC Edition, Windows CE, Pocket PC, or the X-Box—operating systems that all use the Win32 API and are advertised as being "Windows Powered".

—The PFJ fails to require advance notice of technical requirements, allowing Microsoft to bypass all competing middleware simply by changing the requirements shortly before the deadline, and not informing ISVs.

—The PFJ requires Microsoft to release API documentation to ISVs so they can create compatible middleware—but only after the deadline for the ISVs to demonstrate that their middleware is compatible.

—The PFJ requires Microsoft to release API documentation—but prohibits competitors from using this documentation to help make their operating systems compatible with Windows.

—The PFJ does not require Microsoft to release documentation about the format of Microsoft Office documents.

—The PFJ does not require Microsoft to list which software patents protect the Windows APIs. This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users.

The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft:

—Microsoft currently uses restrictive licensing terms to keep Open Source apps from running on Windows.

—Microsoft currently uses restrictive licensing terms to keep Windows apps from running on competing operating systems.

—Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which could run a Microsoft operating system—even for computers running competing operating systems such as Linux! (Similar licenses to OEMs were once banned by the 1994 consent decree.)

The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft:

—Microsoft has in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems.

The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs:

—The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

—The PFJ allows Microsoft to discriminate against small OEMs—including regional "white box" OEMs which are historically the most willing to install competing operating systems—who ship competing software.

—The PFJ allows Microsoft to offer discounts on Windows (MDAs) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas.

The PFJ as currently written appears to lack an effective enforcement mechanism.

Thank you for your time. I'm sure you will help protect the rights of American citizens, consumers, and business.

Andrew Moojin Park
andrew moojin park
systems analyst—its
federal reserve bank of cleveland
andrew.m.park@clev.frb.org
216.579.2389

MTC-00015710

From: Andy Ingraham Dwyer
To: Microsoft ATR
Date: 1/23/02 9:52 am
Subject: Microsoft Settlement

I am opposed to the proposed settlement between the federal government and Microsoft. I believe it does not do nearly enough to limit the anticompetitive practices of an illegal monopoly.

Please record my disapproval.
Andy Ingraham Dwyer

MTC-00015711

From: ravi pina
To: Microsoft ATR
Date: 1/23/02 9:51 am
Subject: Microsoft Settlement

I do not support the proposed settlement because I do not think it provides sufficient punishment to balance Microsoft's offenses, nor sufficient incentive to prevent them from doing the same in the future. Furthermore, the idea of punishing a monopoly by requiring them to extend their monopoly into the US educational system is incomprehensible.

Ravi Pina
Boston, MA
Network Systems Administrator

MTC-00015712

From: jared eisenmann
To: Microsoft ATR
Date: 1/23/02 9:53am
Subject: No on settlement!

I vote NO! to the proposed Microsoft Settlement.

I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices. The idea that a company found to be a monopoly's punishment is to spread their product to even MORE people, is absolutely ludicrous. Punish them by making them even more of a monopoly? I fail to see how giving them a larger market share is a punishment. It is a reward! The opposite would be a punishment, force Microsoft to pay for its competitors (such as Linux or Apple) to put their systems into underprivileged schools.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of its competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition. Are we to return to the late 19th century? Will a few men like JP Morgan and Carnegie control our destiny again? I say Nay! Capitalism is based on competition- and monopolies eliminate competition. The settlement with Microsoft is doing nothing to curtail its monopolistic practices.

Jared Eisenmann
George Washington U.

MTC-00015713

From: Michael Richey
To: Microsoft ATR
Date: 1/23/02 9:54am
Subject: Microsoft Settlement

To whom it may concern,

I do not think the settlement goes far enough as a punishment for Microsoft's crimes. I'm an unemployed unix software developer, and because of Microsoft's monopoly it is difficult for me to find a new job in my field. I think the settlement is bad, and hope that you create a stronger punishment for Microsoft.

Thanks,
Michael Richey
1776 Park Trail NE
Grand Rapids, MI 49525

MTC-00015714

From: Chris Sexton
To: Microsoft ATR
Date: 1/23/02 9:53am
Subject: Microsoft Settlement

The proposed final judgement for the MS Antitrust case is lacking in several areas but I would like to point out one of the definitions defined in the PFJ is quite weak.

"Microsoft Middleware" was defined to mean application software that presents a set of APIs which allow users to write new applications without reference to the underlying operating system.

This allows Microsoft to exclude software from being covered by changing product version numbers or changing distribution methods for their software and operating systems. Seems like this is the opposite of what it intended—based on this loose definition, there isn't much of a reason to restrict the deemed "Microsoft middleware". It kind of defeats the purpose, doesn't it?

I seriously believe that the proposed final judgement should be revised in many areas or Microsoft will continue their practices as they do today.

Chris Sexton, Student
NC State University

MTC-00015715

From: Doug Kartio
To: Microsoft ATR
Date: 1/23/02 9:54am
Subject: "Microsoft Settlement"

I wish to voice my opinion that the restrictions placed on Microsoft are not restrictive enough. Microsoft has for the past 20 years been lying, stealing and steamrolling every good computer innovation that has been in direct or indirect competition with them.

I have watched great products be pushed out of the market, companies put into bankruptcy, and others threatened with legal action even though Microsoft had no legal right to do so, other than to have them stop competing against them.

Microsoft has made many fortunes off the work and sweat of others and is proving to many people that ?CRIME DOES PAY?. For a company that lied and falsified evidence in the previous trial, it is hard to believe that they have not been severely punished for their crimes. Had this been a small ?Mom and Pop? shop they would have been had accountable and have been punished, but since it is one of the world's largest companies, they are getting away with their actions. The laws of the country are in place to protect ALL people/companies regardless of color, race, creed or religion/size or wealth.

Please do what is right and punish Microsoft for the pain and suffering it has caused to the computer and high tech industry. I have been working in this sector for over 14 years and have never seen a more negative impact on this industry than I have with Microsoft.

Microsoft needs to open its system (APIs and code) so that other companies can write code that works properly with windows. Microsoft has places all types of hidden functions and methods that allow Microsoft developed products to work better and faster

then their competitors due to these hidden calls.

Microsoft also needs to be fined in a way that it and all other companies, that may try and monopolize a sector of industry, that crime does NOT pay. This will be largest company fine in history, but for a company that has \$30—\$70 billion dollars in cash in the bank it needs to be. Anything else would like fining a millionaire \$100 for using the carpool lane when he is by himself. Do you really think he cares? Has he learned his lesson? NO! He spends more than that on a drink at the yacht club.

I also personally believe that breaking Microsoft into 3 different groups; one that handles the operating system, one that handles the internet development and another that handles all the desktop publishing and related software is the best way to achieve a truly competitive market within the computer industry. I realize that this options, no longer seems to be on the table, but it is honestly the best way.

Thank You
Doug Kartio
Senior Internet Consultant
Object Partners, Inc.
612-991-4475
CC:kartio@direcpc.com@inetgw

MTC-00015716

From: nicolas caudle
To: Microsoft ATR
Date: 1/23/02 9:53am
Subject: Microsoft Settlement

The proposed settlement between Microsoft and the DOJ will not prevent Microsoft from doing this in the future. This accounts to a mere slap-on-the-wrist for them. I am in favor of Microsoft helping out schools, but let them give the school systems money instead of hardware and MS software. This way the schools *CHOOSE* what types of computer systems they want to use (whether it be Apple, Microsoft, Linux, etc...), as opposed to Microsoft flatly giving them hardware (antiquated hardware too), and software that automatically means revenue for Microsoft in the future.

thank you,
Nicolas Caudle

MTC-00015717

From: Krishna Donepudi
To: Microsoft ATR
Date: 1/23/02 9:54am
Subject: Microsoft Settlement

I do not agree with Microsoft's business tactics and I believe they should be properly punished. The proposed settlement is a bad idea.

MTC-00015718

From: Michael Harszlk
To: Microsoft ATR
Date: 1/23/02 9:54am
Subject: Microsoft Settlement

I believe the proposed settlement is NOT in the best interests of consumers; will NOT free up competition in the marketplace, and will only provide Microsoft further opportunities to extend their illegal monopolies.

MTC-00015719

From: Bill Christens-Barry

To: Microsoft ATR
 Date: 1/23/02 9:54am
 Subject: frightened by failure of the proposed Microsoft Settlement to address and deter unlawful activities

As an American citizen and consumer, I am troubled and frightened by the failure of the proposed judgement to address findings in the Microsoft antitrust case. THIS JUDGEMENT FAILS TO IMPOSE ADEQUATE REMEDIES TO THE CASE FINDINGS, and fails to utilize the broader range of remedies that may be legally and prudently availed.

There is NO EVIDENCE THAT THE PROPOSED REMEDIES are adequately punish past illegal or WILL PREVENT FUTURE HARMFUL, ILLEGAL ACTIVITY. It is frightening to consider what lesson might be taken from this failure by other potential monopolists and economic bullies. Is this a country of personal and corporate accountability, or not?

As a user of a broad range of computer software and hardware products, spanning the range of commercially available operating systems, I have found my FREEDOM to choose on the basis of PRICE and PERFORMANCE has been undermined by Microsoft's widespread and apparently instinctive work to the ILLEGALLY SUBVERT COMPETITION.

I request that my government pursue more appropriate and further means of PROTECTING THE AMERICAN PEOPLE AND ECONOMIC SYSTEM FROM MICROSOFT in this matter.

Thany you,
 William A. Christens-Barry
 4009 St. Johns Lane
 Ellicott City, MD 21042
 Bill Christens-Barry, PhD
 Equipoise Imaging, LLC
 equipoise@rcn.com
<http://www.equi.net>

MTC-00015720

From: Will Backman
 To: Microsoft ATR
 Date: 1/23/02 9:54am
 Subject: Microsoft Settlement

I think the proposed settlement does not go far enough. Microsoft has been found to use its monopoly position in an illegal manner, and it should not be trusted with a monopoly position. More should be done to break the monopoly, not just punish it.

William H. Backman
 Waterville, Maine 04901

MTC-00015721

From: Charles Eakins
 To: Microsoft ATR
 Date: 1/23/02 9:31am
 Subject: Microsoft Settlement

Your Honor,

I think the purposed settlement is not enough, to quell Microsoft's anti-competitive behavior. They continue to do the same things they were found guilty of, to this day. That says allot about a corporation, and or even an individual. If the company was serious about complying with the court, they would have changed they're behavior, before they are ordered to do so by the court. To me this seems like a big joke to Microsoft, and

I think they need to be punished more, possibly be broken up. I have been in the computer industry for over 10 years, even having worked for Microsoft. It was a fun company to work for, even though I disagree with some of they're ethical things.

Charles Eakins
 Senior Quality Assurance Engineer
 AppWorx Corp.
 1-877-APPWORX
 +1.425.644.2121x104
 E-mail: ceakins@appworx.com
 Website: <http://www.appworx.com>

MTC-00015722

From: jtopjian@nb.net@inetgw
 To: Microsoft ATR
 Date: 1/23/02 9:55am
 Subject: Microsoft Settlement

To Whom It May Concern:

I would just like to say that I have read about the proposed settlement, and I am not in favor of it in its current state. The proposed settlement will do nothing to change Microsofts monopolistic acts. In that case, what use was the trial?

IMO, Microsoft is not only a monopoly, but a bad company with bad business ethics in general. How much longer do people have to bear putting up with this? I understand that the average person does not fully comprehend whats at stake now or in the future if Microsoft continues its current practices. But You have the power to change that now.

If not now, then when?

Joe Topjian
 Oakdale, PA
 jtopjian@nb.net

MTC-00015723

From: Chris Zappanti
 To: Microsoft ATR
 Date: 1/23/02 9:54am
 Subject: Microsoft Settlement

I must voice my strong opinion against the current wording of the Microsoft Settlement. Microsoft is convinced it has never done a wrong, is doing no wrong, and will do no wrong in the future. Without a stringent and explicitly worded remedy they'll do exactly what they did before: skirt the issue, push past the spirit of the earlier remedy by parsing every word they can, or flat out ignoring what is not conducive to their behavior in the name of "consumers."

Microsoft, as part of the agreement, should be REQUIRED to admit in print its guilt on conduct where the courts have upheld already. If it brings them lawsuits tough luck—if they had chosen to play openly and fairly in the first place they would not be here.

Don't let them off the hook with a slap!!! Too many of us in this field tire of seeing them run rough-shod over companies who had the potential and/or product to solve a problem much more efficiently than Microsoft did, only to see them get run over when the product began to attract attention.

They're like a drunken babbling fool—a good slap to the head is the only way to get their attention.

Thank you,
 Chris Zappanti, CNE4 CNE5 A+
 Personalized Computer Systems, Inc.

3033 S. Kettering Blvd. Suite 110
 Dayton, OH 45439
 937.296.7416
 937.298.3008 (fax)
 czappanti@pcsinconline.com

MTC-00015724

From: Henry W. Miller
 To: Microsoft ATR
 Date: 1/23/02 9:54am
 Subject: Microsoft Settlement

The proposed settlement with Microsoft does nothing to solve the issues that have brought this case to court.

Microsoft has been found to have a monopoly on Intel compatible operating systems, and further they have used this monopoly to destroy competitors. There is nothing in the proposed settlement that would prevent Microsoft from destroying another competitor. As such it is not a good settlement. Microsoft appears to be trying to get clauses in the final settlement that would allow them to keep secret anything related to security. This is unnecessary well designed security measures do not lose their value when the attacker knows how they work. Vaults are rated by how long it would take a thief who has access to the design to break in. In computers we have discovered that secret security measures are eventually broken by the computer criminals who then use them against those who trust them. I urge the court to reject the proposed settlement or modify it so that Microsoft will not use their monopoly to harm competitors.

Henry Miller
 (763) 391-1271

MTC-00015725

From: Laura Hale
 To: "microsoft.atr(a)usdoj.gov"
 Date: 1/23/02 9:52am
 Subject: Microsoft Settlement

To Whom it Concerns:

I have read the Proposed Final Judgement in the Antitrust case against Microsoft and still have concerns that this settlement will not keep Microsoft from engaging in illegal and anticompetitive practices. The current proposed settlement includes loopholes that will allow Microsoft to continue to retaliate against companies and end users that choose alternative operating systems, and does not put in place an adequate system for investigating future infringements by Microsoft. As someone who has worked with technology, specifically technology in nonprofit organizations, I have seen the unsatisfactory results of years of monopolistic behavior from Microsoft and I cannot, in good conscience, recommend or support it this proposed final judgement.

However, I do believe that the amendments put forth by the nine states Attorneys' General and Corporation Counsel from the District of Columbia who did not agree to the proposed settlement is more comprehensive and will curb Microsoft's illegal monopolistic practices. It addresses some of the larger issues missing in the first proposal by creating a "Special Master" with investigative powers that will be able to react quickly to future infractions, and broadening some of the narrow definitions given for terms like API and Windows. I support the inclusion of policies to require Microsoft to:

1. offer a version of Windows with minimal preinstalled software, allowing consumers to better choose which software components they want installed on their computers when originally purchased;
2. package "middleware" software with Windows XP that will allow software applications to run across different operating systems, which will cut down on the myriad of compatibility issues users currently face.
3. share the programming code of Internet Explorer, the company's Internet browser, with other software developers, preventing Microsoft from monopolizing Internet access; and
4. allow other software developers to port Microsoft's Office software suite for use on non-Windows operating systems, permitting non-Windows users to use Microsoft's other products if they choose.

I whole heartedly urge the Court to find that the U.S. Department of Justice proposed final judgement is not in the best interest of the public and to consider the remedies offered by the Attorneys' General and Corporation Counsel from the District of Columbia.

Sincerely,
Laura Hale
S. Burlington VT

MTC-00015726

From: Eric Spiegelberg
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 9:58am
Subject: Microsoft Settlement

I think the proposed settlement is an extremely bad idea. The government is clearly bowing to Microsoft special interest groups. The corrective measures are extremely light and will not accomplish any change in anti-competitive behavior. Microsoft has continued to practice anti-competitive behavior even while this case has been before a judicial court. Microsoft has also continued to spread its stranglehold on the technology sector by entering new markets and the continuation of bully tactics. It's a shame that the United States government is afraid to deal with this corporation within the guidelines of the law. I have a BS in Computer Science and work within the software industry. I use Microsoft and non-Microsoft products daily and see this issue clearly without bias. I have formed my opinion after years of industry observation, by being well educated on the subject, and weighing the facts. Obviously Microsoft is buying their way out of the situation and it's unfortunate that most people, including the Justice Department, don't have the technical knowledge to realize what anti-competitive tactics they use to maintain their monopoly.

Sincerely,
Eric Spiegelberg

MTC-00015727

From: Tom Ross
To: microsoft.atr(a)usdoj.gov
Date: 1/23/02 9:55am
Subject: Microsoft Settlement

To whom it may concern

I am opposed to the current proposed settlement in the Microsoft Anti-Trust case. I feel it is not harsh enough and does not do

justice. It does not open up any chance for new operating systems in the market.

MTC-00015728

From: Eric Sheffer
To: Microsoft ATR
Date: 1/23/02 6:55am
Subject: Microsoft Settlement

I am against the Proposed Final Judgement in United States v. Microsoft.

I believe that the Proposed Final Judgement (PFJ) is severely flawed. There are many inconsistencies between definitions outlined in the Court's Finding of Fact and those in the PFJ that introduce loopholes in the remedy which will enable Microsoft to continue the monopolistic and anticompetitive behavior that spurred the suit. If these loopholes are not addressed, then the years of litigation and vast sums expended on behalf of American consumers will be for naught.

Specifically, four definitions outlined in the PFJ need to be altered to close these loopholes. They are:

(1) Definition A: "API"—This PFJ definition of API pertains only to interfaces between Microsoft Middleware and Microsoft Windows, and excludes Windows APIs used by application programs. As written, this definition might omit important APIs such as the Microsoft Installer APIs, or APIs introduced into Windows to specifically support Microsoft application software.

(2) Definition J: "Microsoft Middleware"—The PFJ definition of "Microsoft Middleware" enables Microsoft to exclude any software from being covered by the definition in by changing product version numbers or changing how Microsoft distributes Windows or its middleware. The Court's Finding of Fact definition, which defines middleware as software that itself presents a set of APIs which enable new applications to be written without reference to the underlying operating system, should instead be adopted.

(3) Definition K: "Microsoft Middleware Product"—This PFJ definition specifically excludes several Microsoft products for or on which developers create applications using underlying APIs. Excluded are Microsoft.NET and Microsoft C#, Microsoft Outlook and Microsoft Exchange, and Microsoft Office and its component applications (Microsoft Word, Microsoft Excel, Microsoft PowerPoint and Microsoft Access). These products should be included in the definition because they provide important APIs for application development.

(4) Definition U: "Windows Operating System Product"—This PFJ definition includes Windows 2000 Professional, Windows XP Home, Windows XP Professional and their successors yet excludes the operating system products Windows XP Tablet PC Edition and Windows CE. Many applications are available that will run without modification on both the included and excluded operating system products. This definition should include an operating system that an execute programs written to the Windows API. Without modification to these definitions, I believe this PFJ, if adopted, will provide enough loopholes to enable Microsoft to escape justice.

Thank you for your attention.
Sincerely,
Eric Sheffer

MTC-00015729

From: Joe Henley
To: Microsoft ATR
Date: 1/23/02 9:54am
Subject: Microsoft Settlement

The proposed settlement with Microsoft is WRONG! Please push for much stronger penalties for this monopolist. They are hurting consumers such as me who want more choice in our operating and applications systems.

Thanks!
Joe Henley

MTC-00015730

From: Aaron E. Ross
To: Microsoft ATR
Date: 1/23/02 9:53am
Subject: Microsoft Settlement

To whom it may concern,

As a part of the comment process I would like to register my unhappiness with the current proposed settlement.

Unless Microsoft is required to publish open APIs and file formats, it will continue to enjoy an unchallenged monopoly and benefit from the continuing effects of "lock-in". On the other hand, as Scott Rosenberg pointed out, With Microsoft's APIs and file formats fully standardized, documented and published, other software vendors could compete fairly—which, after all, is what antitrust laws are supposed to promote. We might then be faced with a welcome but long unfamiliar sight: a healthy software market, driven, as today's processor market is, by genuine competition.

I hope that you seriously consider the remedies laid out by GNU and FSF in the following document: <http://www.gnu.org/philosophy/microsoft-antitrust.html>, which I have attached.

Thank you,
Aaron Ross
aaron ross
baldwin language technologies
email ross@coreference.com
phone 215 545 6428

With the Microsoft antitrust trial moving toward a conclusion, the question of what to demand of Microsoft if it loses is coming to the fore. Ralph Nader is even [when this was written, in March 1999] organizing a conference about the question.

The obvious answers—to restrict contracts between Microsoft and computer manufacturers, or to break up the company—will not make a crucial difference. The former might encourage the availability of computers with the GNU/Linux system preinstalled, but that is happening anyway. The latter would mainly help other proprietary application developers compete, which would only offer users alternative ways to let go of their freedom.

So I propose three remedies that would help enable operating systems such as GNU/Linux compete technically while respecting users' freedom. These three remedies directly address the three biggest obstacles to development of free operating systems, and to giving them the capability of running

programs written for Windows. They also directly address the methods Microsoft has said (in the "Halloween documents") it will use to obstruct free software. It would be most effective to use all three of these remedies together.

Require Microsoft to publish complete documentation of all interfaces between software components, all communications protocols, and all file formats. This would block one of Microsoft's favorite tactics: secret and incompatible interfaces.

To make this requirement really stick, Microsoft should not be allowed to use a nondisclosure agreement with some other organization to excuse implementing a secret interface. The rule must be: if they cannot publish the interface, they cannot release an implementation of it.

It would, however, be acceptable to permit Microsoft to begin implementation of an interface before the publication of the interface specifications, provided that they release the specifications simultaneously with the implementation.

Enforcement of this requirement would not be difficult. If other software developers complain that the published documentation fails to describe some aspect of the interface, or how to do a certain job, the court would direct Microsoft to answer questions about it. Any questions about interfaces (as distinguished from implementation techniques) would have to be answered.

Similar terms were included in an agreement between IBM and the European Community in 1984, settling another antitrust dispute.

Require Microsoft to use its patents for defense only, in the field of software. (If they happen to own patents that apply to other fields, those other fields could be included in this requirement, or they could be exempt.) This would block the other tactic Microsoft mentioned in the Halloween documents: using patents to block development of free software.

We should give Microsoft the option of using either self-defense or mutual defense. Self defense means offering to cross-license all patents at no charge with anyone who wishes to do so. Mutual defense means licensing all patents to a pool which anyone can join—even people who have no patents of their own. The pool would license all members' patents to all members.

It is crucial to address the issue of patents, because it does no good to have Microsoft publish an interface, if they have managed to work some patented wrinkle into it (or into the functionality it gives access to), such that the rest of us are not allowed to implement it.

Require Microsoft not to certify any hardware as working with Microsoft software, unless the hardware's complete specifications have been published, so that any programmer can implement software to support the same hardware.

Secret hardware specifications are not in general Microsoft's doing, but they are a significant obstacle for the development of the free operating systems that can provide competition for Windows. To remove this obstacle would be a great help. If a settlement is negotiated with Microsoft, including this

sort of provision in it is not impossible—it would be a matter of negotiation.

This April, Microsoft's Ballmer announced a possible plan to release source code for some part of Windows. It is not clear whether that would imply making it free software, or which part of Windows it might be. But if Microsoft does make some important part of Windows free software, it could solve these problems as regards that part. (It could also be a contribution to the free software community, if the software in question could be useful for purposes other than running other proprietary Microsoft software.)

However, having the use as free software of a part of Windows is less crucial than being permitted to implement all parts. The remedies proposed above are what we really need. They will clear the way for us to develop a truly superior alternative to Microsoft Windows, in whatever area Microsoft does not make Windows free software.

MTC-00015731

From: Robert O'Callahan
To: Microsoft ATR
Date: 1/23/02 9:56am
Subject: Microsoft Settlement

To whom it may concern,
I believe the proposed settlement is inadequate and will not be sufficient to redress the antitrust offences of which Microsoft has been convicted, nor will it deter them from committing future offences. The Department of Justice has had very little success in enforcing its previous consent decree with Microsoft; we have no evidence that this decree will fare better. It's particularly outrageous that the penalty for violating this new decree will be to extend the decree for another two years! A toothless decree extended for two years is still toothless.

Furthermore, the terms of the proposed decree, even if adhered to, simply require Microsoft to act more reasonably in the future. They do nothing to punish it for past misbehavior, and thus there is little deterrent effect. Microsoft must be subjected to significant material penalties to deprive it of the fruits of its illegal actions, or it will (correctly) view those actions as profitable, and repeat them.

My background: I am a computer science researcher. I just graduated from Carnegie Mellon University with a PhD in computer science. My thesis won honours in the 2001 ACM Doctoral Dissertation Awards. I have recently joined IBM's Research Division, but of course I speak only for myself.

Sincerely,
Robert O'Callahan

MTC-00015732

From: Wayne McCullough
To: Microsoft ATR
Date: 1/23/02 9:55am
Subject: Microsoft Settlement

I am against the proposed settlement with Microsoft Corporation. Microsoft has illegally used its monopoly, and the settlement leaves the monopoly fully in the hands of the company that has misused it in the first place.

If a friend of mine were to use my car without permission (ie, steal my car) and

then is stopped and found to be in possession of an illegal substance, the federal government would have no problem with depriving me of my property even though I didn't commit a crime. But when a corporation uses its property to repeatedly commit crimes, as Microsoft has done, the federal government is content to just watch the corporation harder. The justice department has a very strange definition of justice.

Wayne McCullough

MTC-00015733

From: Doug Burks
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 9:55am
Subject: Microsoft Settlement

To Whom it May Concern;
The Proposed Final Judgment in the Microsoft settlement has many flaws. The three most glaring of these flaws are: (excerpted from Dan Kegel's letter at <http://www.kegel.com/remedy/letter.html>)

(1) "Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry."

(2) "The PFJ supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered."

(3) "The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system."

It would be greatly appreciated if these three points, as well as the other points made by Mr. Kegel at <http://www.kegel.com/remedy/letter.html> are taken into further consideration.

Thanks,
Doug Burks
Systems Administrator
Augusta Service Co., Inc.

MTC-00015734

From: Paul Rydell
To: Microsoft ATR
Date: 1/23/02 9:50am
Subject: Microsoft Settlement

I think the proposed settlement regarding Microsoft is a bad idea.

Paul Rydell

MTC-00015735

From: Paul Danckaert
To: Microsoft ATR
Date: 1/23/02 9:55am
Subject: Microsoft Settlement

As a professional in the computer industry, I have watched for many years how Microsoft's anti-competitive practices have damaged the industry. Microsoft has demonstrated that it will not compete fairly on cost, on packaging/bundling, or on agreements or relationships. This is not an advantage to the end user. Despite the facade of change, the actual rate of change is less, and the small companies or competitors who induce change are bought out or swept away. The only actual competitor appears to be the open-source/Linux environment, and this is because the cost can be ruled out.

Do not hand Microsoft an easy victory, which would be given to them if they only receive a slap on the wrist. They need to be reined in and controlled, much as any other monopoly has been handled in the past.

Thank You,
Paul

MTC-00015736

From: Tom Clark
To: Microsoft ATR
Date: 1/23/02 9:55am
Subject: Microsoft Settlement

I am writing this message to comment on the proposed final judgement in the United States vs. Microsoft antitrust case.

The proposed final judgement does not serve the public interest. In particular, the proposed final judgement does not include an provision allowing users to replace Microsoft.NET with competing middleware. Since Microsoft.NET is central to Microsoft's new development efforts, the failure to include such a provision renders the proposed judgement ineffective.

Tom Clark
Systems Administrator
Dept. of Mathematics & Computer Science
SUNY Fredonia

MTC-00015737

From: M A Lytle
To: Microsoft ATR
Date: 1/23/02 9:56am
Subject: Microsoft settlement

To whom it may concern,

As a Information Technology worker with 12 years in the business, I am writing to strongly object to the current proposed Microsoft settlement. In every way possible, this document is crafted to reward Microsoft for unethical behavior and give them the green light to continue business as usual. This settlement is not in the public interest, period.

In how many ways is this settlement flawed? In as many ways as possible, and that is no exaggeration. I have watched the toxic effects of the lack of competition in my own company, where prices for Microsoft's software have risen continuously while computer hardware prices have plummeted in the same time period. I have watched company executives bow down before the monopolistic might of Microsoft to install expensive upgrades to the whole computer complement of the company where I work, only to watch the frustration of new users who have regarded the changes as unnecessary and confusing, and the costs were often absorbed by arguing that we have to "keep up" as though we were in some kind of a race. The combined capital expenditure of all of the major corporations over the last 10 years has amounted to a hidden tax, that has undoubtedly shown up in higher prices for everything we buy, as individuals or companies. And remember that all major software categories were already present since the early to mid 1990's so no new productivity has been achieved since then, only spiraling(upward) software fees. This has happened because no new software firms, with new ideas, can appear and survive in the current business environment, with the present business and legal tactics of Microsoft unabated.

These are just the effects, the things I have seen, in the real world, far removed from the world of the media and the courts, as this trial has laboriously traveled through the legal system, to be apparently dead-ended as irrelevant, now that the national mood is that the powerful are exempt from law or standards of conduct. As I write this you can see I don't believe this, no intelligent person today lacks cynicism about the justice system, but no intelligent person, can afford to give up, either. If we stop caring, we are truly lost.

In summary, I implore you as a citizen to reject this settlement as ineffective, ingenuous, and destructive of the values of competition and openness that once made us great, as a nation. Please restore us to greatness, greatness as defined by fairness for all, not just for the powerful.

Sincerely yours,
Mark A. Lytle
Network Analyst
Houston, Texas

MTC-00015738

From: Kevin White
To: Microsoft ATR
Date: 1/23/02 9:55am
Subject: Microsoft Settlement

Dear Department of Justice,

I'd like to take a minute of your time to voice my opinion in opposition to the current Proposed Final Judgement against the Microsoft Corporation. As an avid user of OpenSource products, I feel that consumers should have a choice when purchasing a new PC as to what kind of software is loaded on that machine. It has come to my attention that your Proposed Final Judgement still allows Microsoft to stangle OEM's in an anticompetitive way. According to Section III.A.2. Microsoft may retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system. This provision will allow Microsoft to stifle the coice of the consumer.

Consumers should have the right to either purchase a new computer system without any operating system, or with an operating system that directly competes with Microsoft. It has already been argued in the Central District of California court case, Adobe vs Softman, that that consumers can resell bundled software, no matter what the EULA, or End User License Agreement, stipulates. In the case of Microsoft's software, the operating system is tied to the OEM bios hardware of the PC. Even if a consumer wanted to sell their copy of windows to recoup their loss they would be unable to do so. The link between the OS and the OEM bios would prevent a user from installing the software on any other machine, making it impossible for the consumer have a choice at the time of purchase.

In conclusion, I would ask the Department of Justice to stand back and take a look at this situation again. There are MANY more reasons to dislike the proposed final judgement, more than I care to go into. Please take into consideration the letters and concers of the OpenSource community when making your decision.

Thank You,

Kevin White
Newbern, TN
A+ Certified Computer Technician
Linux+ Certified

MTC-00015739

From: Tony Asleson
To: Microsoft ATR
Date: 1/23/02 9:55am
Subject: Microsoft Settlement
To: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

I am opposed to the proposed settlement in the Microsoft antitrust trial. Microsoft has been deemed a monopoly and should be treated as such. The proposed settlement will not make a significant difference to the monopolistic power Microsoft has on the industry.

Competition is good for consumers, because when consumers have a choice they can choose the best solution. Companies in competition must compete to survive. A market absent of competition will stagnate and is not conducive to innovation. Significant changes need to be put in place to restore software competition in the personal software computer industry.

Sincerely,
Tony Asleson

MTC-00015740

From: J. Nathan Matias
To: Microsoft ATR
Date: 1/23/02 9:55am
Subject: Microsoft Settlement

Under the Tunney Act, I would like to comment on the proposed Microsoft settlement.

As a technologist who has to get work done every day and as a person who is trying to escape the grip of Microsoft's monopoly, I have several concerns about the proposed settlement.

First, I find it disturbing that the proposed settlement does not adequately prohibit Microsoft from using monopolistic tactics against Open Source software. Though I do some Open Source programming for corporations, I also spend my personal time writing software for my personal use and the enjoyment of others. Certain Microsoft licensing tactics used in the past could prohibit users from installing my software on their computers or prevent companies from distributing my software on the same media as Microsoft products. This restrictive practice of Microsoft will not be curbed in the proposed settlement.

As a programmer, I am excited about the access to APIs that may result from this settlement, but I find that the definition of API is limited so as to be of little use to me. APIs that are necessary to create a reasonably good application are not included in the definition; these bare patches in the settlement would make my use of Microsoft APIs (as defined in the settlement proposal) nearly impossible.

The proposed settlement rightfully allows users to replace Microsoft's Java software. However, this is a headless arrow, for

Microsoft itself is replacing Java ... with a new technology called .NET. The PFJ should therefore allow users to replace Microsoft.NET with competing middleware.

This brings me to another point. I find the terms much too specific. This allows Microsoft to continue its long-standing monopolistic tradition of hijacking new technologies when old ones no longer become profitable. It is very likely that within a few years the settlement will no longer apply, since the technology sector innovates so quickly and changes so rapidly. Unfortunately, such progress, which should benefit the average person most of all, would only serve to bring Microsoft out from under the too-specific terms of the proposed settlement.

One place where the settlement proposal is too specific is in the actual Microsoft operating systems that are discussed. Several Windows operating systems, such as Windows CE, the X-Box operating system, Pocket PC, and the Windows XP Tablet PC edition all use the same Windows API, but are not covered in the terms of the proposal. This is a dangerous omission in the proposal, as it would allow Microsoft to refocus on those products not discussed in the settlement, effectively sidestepping the settlement's provisions.

Furthermore, the proposal allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system. Why guarantee Microsoft its monopoly by assuming unequivocal 100% monopoly in the proposal? If you want to ensure competition, then make sure Microsoft cannot apply its old tricks towards OEMs who foster competition by selling computers with other OSs.

Another of Microsoft's old tricks is to include intentional incompatibilities in supposedly standards-compliant software to force users to follow the monopoly. The proposal speaks nothing of this practice, which is one which we technologists feel the bite of every day whenever we look at a web site, connect to the network, or write a piece of software.

We technologists also feel the bite of Microsoft when we attempt to write software that is compatible with Microsoft Office and other productivity software. File formats used by Microsoft are highly secret, which enforces that one either pay huge licensing prices or just use a Microsoft solution. These file formats are truly the iron grip through which Microsoft extends and keeps its monopoly. Time and time again I have suggested to people that they use competing office or productivity software, and time and time again the response is that if it doesn't work with Office, then it's too dangerous to use.

Unfortunately, the problem is not on the part of the third-party software; the problem lies with Microsoft's monopolistic manipulation of file formats. Thank you for your time and consideration; I trust that the final result of this whole process will be a technology industry that once again is a garden of innovation and flowering beauty rather than the muddled mess we now have on our hands.

J. Nathan Matias

MTC-00015741

From: Matt Graham
To: Microsoft ATR
Date: 1/23/02 9:56am
Subject: Microsoft Settlement

To whom it may concern:

I have read about the proposed settlement, and I am not in favor of it in its current state. The settlement does not address problems with Microsoft's closed file formats, meaning that any business with many documents in these formats have no clear upgrade path or way to escape from Microsoft. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors.

Sincerely,
Matt Graham
5400 W Mall Dr #3113
Lansing, MI 48917

MTC-00015742

From: Chris Blessing
To: Microsoft ATR
Date: 1/23/02 9:56am
Subject: Microsoft Settlement

It is imperative that MS be punished for their doings. I disagree with the settlement proposed thus far.

Chris Blessing
webguy@mail.rit.edu
http://www.330i.net

MTC-00015743

From: Roman Meytin
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 9:56am
Subject: Microsoft Settlement

I think its terrible that a company that so clearly engages in anticompetitive practices is going to get off so easy. If this were happening in any other industry this would have been stopped long ago.

One of the greatest things that attracted me to computers and computer science was that one person or a small group of people could make a huge impact in the industry and on the rest of the world.

Companies like apple and palm practically grew out of garages. Computer Scientist have sometime individually made contributions that shook the world, yet as long as a microsoft is in "power" it seems that it is very difficult for free-thinkers to accomplish anything unless they were playing by MS rules and are using MS tools.

Many other world powers and governments are turning to alternative solutions. And if US does not take a stand on this issue we will soon be left far behind the rest of the world; Using cludgy software because we have little choice.

Regards,
Roman Meytin

Opinions stated in this email are my own and do not necesarally represent those of my employer.

MTC-00015744

From: John Franks
To: Microsoft ATR
Date: 1/23/02 9:56am
Subject: Opposition to Settlement

I wish to record my strong opposition to the proposed settlement of the Microsoft anti-trust case.

While there has been great harm to consumers in general caused by Microsoft practices and the proposed settlement does little or nothing to prevent continuation of these practices, I would like to focus on one single thing.

Microsoft has done nearly irreparable damage to the free exchange of ideas in written form through its monopoly of information formats. There is no need for written documents not to be interchangeable.

Microsoft Word was designed and is maintained in such a way as to make exchange with other programs difficult or impossible. This forces many people to purchase MS Word who do not wish to use it. The same type of monopoly is being pursued in other formats, music and video foremost among them. The monopoly in all these formats is unnatural and created only for financial gain. It could only be created by leveraging the operating system monopoly which Microsoft enjoys. Microsoft has proven its success at creating new format monopolies by bundling software with the operating system which only uses its proprietary formats.

The current proposed settlement does nothing to remedy this.

Sincerely,
John Franks
Professor of Mathematics
Northwestern University

MTC-00015745

From: Richard Sachen, Jr.
To: Microsoft ATR
Date: 1/23/02 9:56am
Subject: Microsoft Settlement

I have read with interest the continuing legal battles over Microsoft's monopoly. While quick resolution has eluded us and the original victim of Microsoft's illegal practices, Netscape, has disappeared as a competitor, the case has made a change in the marketplace. Unlike the early 90s, people with computer related ideas now think of IPOs rather than being bought out by Microsoft.

To the point, I would like to suggest a possible penalty for Microsoft's illegal actions that may have more effect and cost less to enforce than the government's proposed remedy. Since Microsoft has been convicted of abusing their monopoly power, perhaps a suspension of enforcement of their government held monopolies (some or all patents, trademarks, and/or copyrights) for a period of time—say from the release of Windows 95 to 2002, approximately 6 years. By the government simply refusing to uphold Microsoft's monopoly power on patents and copyrights, enforcement costs are zero. The effect of such a move would be to open up competition dramatically.

I am not a lawyer and do not know if this is among the legal remedies available to the court, but removing government enforcement of a monopolist's monopoly power in patents and/or copyrights seems a simple and effective punishment.

Thank you for your consideration,
Richard Sachen

471 Central Avenue
Mountain View, CA

MTC-00015746

From: Jason Gibson
To: Microsoft ATR
Date: 1/23/02 9:57am

The proposed settlement is insufficient. It does not correctly address the issues at hand.

MTC-00015747

From: Bob Laskey
To: Microsoft ATR
Date: 1/23/02 9:57am
Subject: Microsoft Settlement
To Whom It May Concern:

I am writing to you to let you know that I, as a US citizen, am opposed to the proposed Microsoft settlement in the anti-trust case. I having been working in the computer field for over ten years and I have personally witnessed Microsoft go from being an innovator to a monopoly that actively uses its monopoly power to crush competition and artificially raise its prices. One detail of the settlement which I find absolutely ludicrous is the idea of Microsoft donating PC's to schools with its Windows operating system installed on them. This certainly does not punish Microsoft. If anything, this strengthens Microsofts monopoly of operating systems.

It is my opinion that this settlement is much too lenient on Microsoft. It does not do enough to punish Microsoft, or prevent it from abusing its monopoly power in the future.

Sincerely,
Robert Laskey
Annapolis, MD.

MTC-00015748

From: Phillip Bashor
To: Microsoft ATR
Date: 1/23/02 9:57am
Subject: Microsoft Settlement

Dear Sirs,

Please settle this lawsuit as soon as possible. Our country needs to be over such legal turmoil and focus its attention on rebuilding our economy and our national confidence that was so devastated by the events of 9/11 and the crashing of the stock market.

I believe that the fall of the stock market was due to the decision by Judge Jackson against Microsoft. The dates coincide, but in fact his decision stifled innovation and the ability of our greatest inventors to precede with their new ideas.....

As of today, 1/23/02, I just read about a new lawsuit filed by AOL against Microsoft concerning its Netscape browser. I have used Netscape a few times and it is still far inferior to all browsers. Its like the former automobile, the Yugo. I hope no taxpayers money will be wasted on pursuing this new issue which is ludicrous and insensible.

Microsoft is leading the technology race because its products are far superior than anything yet invented. If someone can create a better product, the American people would buy it; as in a few cases they have. But generally most products being sold by other tech companies are inferior clones of already invented products.

I am appalled at the fact that certain companies have used the American legal system to attack and try to destroy a company, Microsoft. They have done this only for the reason that their products are not being bought by the American consumer; for good reason.

350 years ago, Antonius Stradivarius and his student Guisippe Guarnarius figured out how to make a violin that to this day is the violin of choice for every violinist. What would happen if 350 years ago Billy Smith had the savvy lawyers and advisors to convince a government that Stradivarius' product was too good? Civilization would have taken a giant step backward.

Please don't let this happen, especially in this time of turmoil.

Sincerely your,
Phillip Bashor
7 Highland Ave.
Darien, CT 06820

MTC-00015749

From: Ronald Kronz
To: Microsoft ATR
Date: 1/23/02 9:57am
Subject: Microsoft Settlement

I am bitterly disappointed because the proposed settlement fails to force Microsoft to abandon its anticompetitive practices. Under the proposed settlement, Microsoft would continue to be allowed to characterize any software module as "part of the operating system", thereby avoiding their obligation to share programming interface specifications with other companies.

The most clear indication of the ineffectiveness of this proposed settlement is the fact that Microsoft is using Windows XP and its .net initiative to attempt to monopolize internet authentication and e-business. These guys (Microsoft) think they are free to continue extending their OS monopoly. Strong provisions are needed in the settlement of the current case to convince them otherwise.

Ronald Kronz

MTC-00015750

From: Tom Watson
To: Microsoft ATR
Date: 1/23/02 9:58am
Subject: Microsoft Settlement

Please do not go through with the proposed settlement. This would be a travesty to the American people. Microsoft's dominance in operating system and office software has not been won because they are superior products. Their unlawful tactics have smashed many competitors. This has the effect of dramatically slowing the development of software solutions across the board.

Sincerely,
Tom Watson
Senior Consultant
6805 Capital of Texas Highway; Ste 370
Austin, TX. 78731
Ph. 512.735.4351

MTC-00015751

From: Rick Nicoletti
To: Microsoft ATR
Date: 1/23/02 9:58am
Subject: Microsoft Settlement

After reading the proposed settlement with Microsoft, I've come to the conclusion that

it's just NOT A GOOD THING. It's got so many loopholes and exceptions as render it ineffective.

Please reconsider this.

Richard Nicoletti
Southborough, MA

MTC-00015752

From: rj bertsche
To: Microsoft ATR
Date: 1/23/02 9:59am
Subject: Microsoft Settlement

i, personally, think that microsoft has given up the notion that they have any responsibility to uphold any sort of law. as a citizen, i cannot steal or threaten others, or extort others into buying things from me. i don't see why they should be held to a different standard than i am. this settlement is so weak as to be laughable. microsoft has demonstrated time and again their lack of respect for the justice system and their previous "settlements".. and even now, they buy up property after property, and you aren't stopping them.

i pay taxes, and as a taxpayer, i'm tired of their lawlessness and ego. is our government bought and purchased? fix this injustice.

rj bertsche

MTC-00015753

From: Peter Cullen
To: Microsoft ATR
Date: 1/23/02 9:06am
Subject: Microsoft Settlement

To Whom It May Concern,

As a software engineer with over 13 years of experience, I would like to comment on the Proposed Final Judgement (PFJ) in United States v. Microsoft. I believe the PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft. Microsoft currently uses restrictive licensing terms to keep Open Source applications from running on Windows. Open source development is one the most important software development paradigms in the world today. Microsoft should not be allowed to prevent applications from running on Windows simply because they are licensed as Open Source software. Clearly, Microsoft sees Open Source development as a threat and is taking measures to protect their monopoly. Microsoft has taken this approach in the past with Netscape Navigator and Sun Microsystems Java, to name only two. Their actions have been upheld in the courts an monopolistic, yet the PFJ does not go far enough in preventing Microsoft from using the same behaviors in the future.

Therefore, I believe the Proposed Final Judgment is not in the public interest, and should not be adopted without modifications that address this issue.

Sincerely,
Peter B. Cullen

MTC-00015754

From: dlugo@spot.etherboy.com@inetgw
To: Microsoft ATR
Date: 1/23/02 9:59am
Subject: Microsoft Settlement

Greetings,

I think the proposed settlement with MS stinks. Far better would be to break them up into three companies: apps, OS, and hardware. Once that is done, they would

have a vested interest in interoperability and "playing well with others".

Regards,
Dave

MTC-00015755

From: John Finnegan
To: Microsoft ATR
Date: 1/23/02 9:59am
Subject: Microsoft Settlement

I believe that the Department of Justice's proposed settlement with Microsoft is inadequate. It will allow Microsoft to maintain its monopoly on the PC market and will not end Microsoft's anti-competitive behavior.

John Finnegan
Raleigh, NC

MTC-00015756

From: Walt Berstler
To: Microsoft ATR
Date: 1/23/02 9:51am
Subject: Microsoft Settlement

I have kept up to date and informed regarding the Microsoft settlement and the Tunney Act. I would like to express my opinion that Microsoft does appear to act in a non-professional, anti-competitive manner. I feel that the basis for the stronghold of American capitalism is the ability for everyone to improve the status quo and offer a better product or service than the current provisions. Microsoft does not give that ability to its competition, and therefore the laws in place regarding anti-trust and monopolies must be abided by.

Walt Berstler

MTC-00015757

From: Roger Michael Seip
To: Microsoft ATR
Date: 1/23/02 9:59am
Subject: Microsoft Settlement

I am writing to give my comments on the Microsoft antitrust settlement.

I oppose the proposed Microsoft anti-trust settlement. Microsoft's anti-competitive practices are inconsistent with both American free-enterprise and American law. These practices weaken competition and restrain innovation. The resulting less efficient market employees fewer Americans and produces fewer products. The products that are produced are of lesser quality but higher cost than could be produced in a more efficient and competitive market.

The proposed settlement is too weak. The proposed settlement should be discarded; a new settlement, if sought, should punish Microsoft severely enough to dissuade it from engaging in anti-competitive behaviors in the future.

Thank you,
Roger Michael Seip
5010 Erbs Bridge Road
Mechanicsburg, PA 17050-2430

MTC-00015758

From: Steve Husty
To: Microsoft ATR
Date: 1/23/02 9:57am
Subject: Microsoft Settlement

The current Microsoft-proposed settlement is insufficient and unacceptable.

While I could write volumes about particular points, I won't waste my time.

Microsoft cannot, yet again, be allowed to willfully break the laws of the US and go unpunished. Please "go back to the drawing board", or whatever court-equivalent process is required in order to recast the punishment for these crimes. I urge the courts to consider the entirety of the crime, and impose an equivalent and representative punishment.

Respectfully,
Steve Husty

MTC-00015759

From: Carl Mueller
To: Microsoft ATR
Date: 1/23/02 9:59am
Subject: Microsoft Settlement

The facts:

—Microsoft has been found guilty
—Microsoft demonstrated contempt for the judicial system and law throughout the proceedings

—Microsoft, even though found guilty, continues those actions which brought the lawsuit in the first place The economic damage:

—Microsoft has intentionally released malfunctioning software (for example, Internet Explorer) that undermines standards, automatically generating more defects in business systems of all industries, which needlessly increased costs across the board.

—Microsoft has prevented the development of competing products by use of "secret" APIs, built in non-interoperability, extensive, organized, racketeering-like FUD (aka, lies, deceit, and false advertising), and vendor intimidation. None of these are consistent with free market principles in any shape or form.

—Microsoft has devoted far more resources to maintenance of its OS monopoly, rather than development on the OS, resulting in two decades of significant productivity loss by each and every user of DOS and Windows operating systems.

The current federal resolution:

—has no economic repercussions whatsoever

—has none if any of the terms and conditions are ignored

I am:

—a Computer Science major (Bachelors)

—worked for three years at Andersen

Consulting

—worked for one year with IBM

—worked for one year with Deloitte and

Touche

—worked for one year with a startup

(current job)

—have used DOS, Windows 2.0, 3.1, 95,

NT, 98, 2000

—have used Linux, Sun OS, and IBM AIX

—skeptical anyone actually read this.

MTC-00015760

From: Adam Smith
To: Microsoft ATR
Date: 1/23/02 9:59am
Subject: Proposed Microsoft Settlement

To whom it may concern:

As a U.S. Citizen, I have a number of problems with the proposed settlement in the Microsoft anti-trust case. Among its more egregious faults, the settlement allows Microsoft to retaliate against any OEM that ships computers with a competing operating

system. This is one of the anticompetitive tactics that Microsoft used to maintain its monopoly in the first place. The fact that it's not only allowed by the proposed settlement, but in fact explicitly provided for, is a fatal flaw in the settlement. For this reason alone (to say nothing of the settlement's many other flaws) the proposed settlement should be scrapped.

Thank you.

Thank you.

Adam Smith

"In theory there's no difference between theory and practice, but in practice there is."

MTC-00015761

From: Kirk Patton x111
To: Microsoft ATR
Date: 1/23/02 9:59am
Subject: Microsoft Settlement

Hello,

I would like to express my dissatisfaction with the proposed settlement between the US Department of Justice and Microsoft.

I do not believe the settlement will do anything of substance to curb Microsoft's illegal behavior. It has no teeth...

Microsoft maintains its monopoly by controlling the file formats of their business applications like MS-Word, MS-Excel... Users are constantly forced to upgrade to newer versions so they can read documents sent by others who have upgraded.

They managed to produce several applications that have enough attractive features that they won a controlling portion of the market. They maintain this control by keeping the file formats secret. No one will switch to a competing product unless that product can read the files generated by the Microsoft products. Since the file formats are kept secret, this is not possible.

All file formats must be fully documented and freely available.

Currently, the biggest threat to Microsoft's current monopoly is the Free Software movement and the operating system Linux. There is no language in the settlement that would compel Microsoft to open its protocols and file formats to anyone working on an "open source" project. To break free of Microsoft's control, "All protocols and file formats must be freely available to anyone to use for any reason."

Thanks,

Kirk

Kirk Patton

Pixim Inc.

Sr. Systems Administrator

Phone 650 605-1111

Cell 650 224-0739

Fax 650 934-0560

e-mail kpatton@pixim.com

MTC-00015762

From: Jim McCusker
To: Microsoft ATR
Date: 1/23/02 9:58am
Subject: Microsoft Settlement

To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future.

The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,
James P. McCusker III
Software Engineer
13684 Bent Tree Circle
Centreville, VA 20121

MTC-00015763

From: Govind Salinas
To: Microsoft ATR
Date: 1/23/02 9:59am
Subject: Microsoft Settlement

I believe that the proposed Microsoft settlement is an incorrect remedy. It does not significantly punish Microsoft and they will have plenty of reason to simply ignore the terms seeing that the opposition will likely let them get away with it. Some terms in the settlement actually make it easier for Microsoft to maintain or expand the monopoly position that they have illegally gained and exploited. This settlement will end up being bad for consumers and competition but good for Microsoft.

Thank You,
—Govind Salinas
Network 1 Financial
gsalinas@eftnet.com
(210)402-4001

MTC-00015764

From: Lee Adams
To: Microsoft ATR
Date: 1/23/02 9:57am
Subject: Microsoft Settlement

The current proposed settlement with Microsoft is weak. You should PUNISH wrongdoers and prevent them from doing the same thing again.

Lee Adams
BOFH
Synergy Southeast, LLC.
407.324.3878

MTC-00015765

From: Jonathan Tappan
To: Microsoft ATR
Date: 1/23/02 10:00am
Subject: Microsoft Settlement

The proposed settlement must qualify as the most ridiculous sellout in legal history.

1) Microsoft has been found guilty of a crime.

2) As punishment, Microsoft must agree not to commit the exact same crime in the exact same manner for the next five years.

3) If Microsoft breaks the agreement, the agreement will be extended for an additional two years.

4) The determination of whether Microsoft is abiding by the agreement will largely be under the control of Microsoft.

Jonathan Tappan

MTC-00015766

From: Zeigler, Tim
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:04am
Subject: Microsoft Settlement

I am opposed to the proposed Microsoft settlement.

I believe that it is insufficient to prevent future abuses of Microsoft's monopoly power. I believe that the company should be broken into an applications group and an OS group.

Timothy W. Zeigler
Computer Engineer
Independence MN

MTC-00015767

From: Ammann Drew
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 9:59am
Subject: Microsoft Settlement

Dear Sirs,

I'm writing this letter out of concern that the proposed settlement in the Microsoft case will do little or nothing to stop the monopolistic behaviors of this obviously guilty party. To this day Microsoft continues to swallow its competitors or force competitors out of the market by making the rival product part of Windows. The latest example is the inclusion of compact disc burning software into the operating system. This is yet another example of Microsoft taking away my choice as a consumer. If they are allowed to continue to act as a monopolistic predatory company then my choices as a consumer will continue to be limited in a negative way. I'm not a lawyer but I can tell that they are going to be allowed to continue limiting consumer choices in the marketplace. A settlement full of loopholes and unenforceable remedies will be a waste of taxpayer money and Microsoft will continue to operate in the same manner it has grown accustomed to.

Regards,
Drew Ammann
Lakewood Computer Specialist
ammann-drew@msha.gov
303-231-5665

MTC-00015768

From: Anderson, Mark R
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:00am
Subject: Microsoft Settlement

I think that the Microsoft settlement is a bad idea that does nothing to prevent Microsoft from behaving in a business-as-usual manner.

Mark Anderson
Arizona
Chipset Validation Engineer
Intel Corp.

MTC-00015769

From: Mark_Ericksen@ids-world.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:01am
Subject: Microsoft Settlement

I feel it necessary to voice my opposition to the proposed settlement. As a professional software developer for the Windows and Linux platforms I have had the opportunity to see just how much illegal bundling has been permitted into Microsoft's Windows 2000 and particularly Windows XP.

By experience, I have observed a continual loss of flexibility and freedom with each progressive version of Windows. I have begun to look more towards Linux as a desired platform because my rights as an end user and developer are respected there. Unfortunately, as a professional, I must continue to support the Windows environment at this time despite my personal dislike for the Anti-competitive behavior Microsoft has been exhibiting.

I urge you to reconsider the issues placed before you and reject the settlement for the well stated reasons listed here: <http://www.kegel.com/remedy/letter.html> As the proposal stands, it would do nothing to curb the illegal behaviors and could possibly even result in a greater monopoly holding.

Don't allow Microsoft to take away more freedoms and also permit more companies to be put out of business through Microsoft's proven illegal behaviors.

-Mark Ericksen
Systems Designer & Software Engineer

MTC-00015770

From: chris@lovemonkey.soservers.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:04am
Subject: Microsoft Settlement

To the Department of Justice,

I am writing to you as an american citizen, not as an advocate of or opponent to Microsoft. I am writing to address the injustice of the stipulation III.B.3. Never before in a criminal trial have I ever heard of the criminal being able to select the executors of the settlement, and then allow the criminal to reselect the executor should the U.S. government decide that the original executor was not diligent. I do not understand how Microsoft gets to decide how its punishment is carried out, and how the law of the United States of America will comply to Microsoft policy.

I will not comment any further on the settlement of this case, though there is still so much that is obviously unfair within. If the Department of Justice allows this ruling to proceed, then it will be in clear defiance of not only the will of the people, but all precedence set forth by the Justice Department in the past.

Sincerely
Christopher Delaney
Virginia Voter
Tax Payer
Reserve Soldier
CC:chris@soservers.com@inetgw

MTC-00015771

From: jeff

To: Microsoft ATR
 Date: 1/23/02 10:06am
 Subject: a poor settlement
 Greetings,

I have read through the microsoft settlement and find it rather unsatisfactory. The completely lack of real punishment is appalling. Microsoft has clearly mislead and cheated the public, and bullied their competitors to the point of financial failure. Yet, the "punishment" seems little more than being told to not do it anymore. Incredibly, even the enforcement methods allowed by the settlement are paltry and weak. I strongly urge you to review and reject the settlement as it now stands.

Thank you,
 Jeff Beene

MTC-00015772

From: Denis Dimick
 To: Microsoft ATR
 Date: 1/23/02 9:59am
 Subject: Microsoft Settlement

Under the Tunney Act, I wish to comment on the Microsoft settlement's inadequacy in improving the competitive environment in the software industry.

Microsoft has proven in the past that it will only follow the settlement to the bare min. of what is required by law. Remember a few years back when we did this the first time? Remember all of the loop holes that allowed Microsoft to continue the same activity? Well I do, I also remember that it was the DOJ that helped Microsoft draft that settlement.. As a voter, and someone who did vote for the current administration, I was not happy with the last settlement and I'm not very happy with this "settlement".

The court has found that Microsoft broke the law. It is your job to act on these findings in the best interest of the American people. This "settlement" is not in the best interest of the American people, it's in Microsoft's best interest.

Since the events of Sept. 11, 2001 the current administration has had the support of the people. If you remember so did George Bush Sr. after the Gulf War, YET, He lost this support very quickly for making one mistake. This very well could be George Bush Jr.'s mistake.

A case for the break up: Microsoft has spent over 3 billion dollars on Windows 2000, this product was over 5 years late, and shipped with over 65,000 known software defects. Currently Microsoft sells all of its office products tied into its Windows O/S. If you want all of the features, you need to be running Windows. If Microsoft was broken-up you would see the following, Microsoft would come out with its own version of Linux. There is nothing stopping Microsoft from doing this today, other than trying to recover its investment in Windows. Many people would stand in line for many hours, like we saw with Windows 95, to purchase a copy of Microsoft Linux.

This would be a new revenue stream for Microsoft with very little cost or investment. Since Linux is under the GPL, Microsoft would not be able to modify the source code in such a way as to cause the same problems we now are seeing.

Microsoft would be able to modify its current applications to allow them to run

under Linux. This would allow them to sell the same applications, at full price, to Linux users. In less than 10 years the two companies would be bigger than just the one, and the consumers would have a real choice.

So you now have two companies that are able to sell products and continue to compete. AOL/Time Warner have just brought suit against Microsoft based on the current findings of the court. If the DOJ does not act properly on those findings and if AOL/Time Warner ends up being the one to get action based on those findings, how do you think that's going to look to the American people?

The DOJ has continued to "drop the ball" on many issues. We could blame this on many things, past administrations, poor leadership etc. However, if members of the DOJ really felt that things were going the wrong way, I think the DOJ would see many of its staff leaving. Since the American people are not seeing this, one can only assume that the DOJ and its staff don't see anything wrong with its actions.

Maybe it's time change the way things are run at the DOJ? Maybe it's time to stop the "free-ride" George Bush Jr. has had. The days of being able to slip one thru, are over with the Internet, news travels too fast. What worked back in the late 80's and early 90's no longer works. If you try to slip this one thru, it will backfire.

Thank you,
 Denis Dimick
 968 Alamo Road
 Los Alamos, NM 87544
 505-661-8650—Home
 505-667-8618—Work

MTC-00015773

From: Carlos Benjamin
 To: Microsoft ATR
 Date: 1/23/02 10:01am
 Subject: Microsoft Settlement

Regarding the proposed settlement with Microsoft:

As a computer professional I am concerned that Microsoft will continue to use anti-competitive tactics to stifle genuine innovation in the computer software arena. Their continued leveraging of their Operating System Monopoly on the Intel (and AMD) platform to block competing software from the channel is wrong.

If the DOJ does not force Microsoft's hand in this matter, there will be no profit incentive for creating new applications, Microsoft will win in the marketplace by default and the consumers will be hurt by ever-decreasing options.

An additional argument could be made that a continued Microsoft monopoly will create a security threat to the computing infrastructure that runs the Internet and much of American business. All of the crippling computer virus and worm attacks over the past couple of years have been against Microsoft products. While part of this can be attributed to the size of Microsoft's installed base making for a large target, much of it must lay at the door of Microsoft and their continual creation of exploitable vulnerabilities in their software products. This is a problem not just for users of Microsoft products, but creates problems for

those of us running more secure systems. The Code Red worm attacks and compromises Microsoft IIS servers but affects other servers by diminishing bandwidth, clogging up mail servers with emails trying to replicate itself and by "pestering" servers with port scans and attempts to breach security measures.

Having watched while too many companies have created innovative software applications, competed successfully against inferior Microsoft products that followed and were eventually squashed by Microsoft's ability to brow-beat the OEM's and retailers by leveraging their monopoly position in the OS market, I was happy to see the DOJ take on this monolithic giant on the behalf of consumers. Genuine innovation flourishes in a competitive environment.

Microsoft's continued abuses have created a chilling effect in the marketplace that stops innovators by removing the incentives to create something new. It's like the kid on the beach who stops building sand castles because he knows the bully will come along before he can finish and kick it to pieces.

I urge you to reconsider this settlement and break the stranglehold Microsoft has placed on the industry.

Sincerely,
 Carlos Benjamin, Jr.
 Carlos Benjamin, Jr.
 Computer Systems/Network Admin.
 Central Arizona Project
 23636 North Seventh Street
 Phoenix, AZ 85024
 Voice 623-869-2364
 Fax 623-869-2154

MTC-00015774

From: Darrell Gallion
 To: Microsoft ATR
 Date: 1/23/02 10:01am
 Subject: with a subject of "Microsoft Settlement

Rochester NY
 Software Eng.
 First Consulting
 Darrell Gallion

I would like to co-sign Dan Kegel's open letter. <http://www.kegel.com/remedy/letter.html> That Microsoft can be convicted and get away with controlling the Software world, is demoralizing. In many cases their product is inferior, but their strong arm tactics are superior.

They must increase profits to satisfy stock holders. If they had competition this would be limited. Without competition what upper limit is there to their demands and power?

Mr. Gates is the monopoly of the desktop with no place left to grow. He must use his immense power to take over other industries.

—Darrell Gallion
 CC:petition@kegel.com@inetgw

MTC-00015775

From: Jason S.
 To: Microsoft ATR
 Date: 1/23/02 10:01am
 Subject: My Opinion

To whom it may concern,

I would like to make my voice heard in the Microsoft Antitrust case. I have been reading through many articles and essays concerning the proposed solution to the problems that Microsoft has been creating for an entire industry, and I am simply not impressed.

The proposed settlement is not sufficient to change the stranglehold Microsoft has in all of the markets it competes in (Operating Systems, Office software, Media formats, etc.). If you do not halt this now, it will only get worse for all of us.

Thank you for your time,
Jason Staph
Internet Administrator

MTC-00015776

From: Daniel Goscha
To: Microsoft ATR
Date: 1/23/02 10:01am
Subject: Microsoft Settlement

Hello,
I believe that the proposed Microsoft settlement is a very bad idea. Why do I believe this? It is clear that Microsoft commands a huge share of the market, and if they are allowed to continue on under the terms of the settlement, they will continue to use their market dominance to crush (or buy out) any competitive companies that threaten their bottom line. Competition is the American way — it is what allows we Americans to have the right to choose. If a company, such as Microsoft, is allowed to continue to use its unfettered force to eliminate consumer choice, then it will truly be a dark day for America. I believe the proposed Microsoft settlement will allow Microsoft to carry on such anti-competitive practices.

I will not re-outline the details of how the proposed Judgment falls short as they are covered very thoroughly in a document by Dan Kegel entitled, "On the Proposed Final Judgment in United States v. Microsoft", which can be found at: <http://www.kegel.com/remedy/remedy2.html>

Best regards,
Daniel Goscha
Research Programmer
University of Illinois / NCSA

MTC-00015777

From: Descendent
To: Microsoft ATR
Date: 1/23/02 9:59am
Subject: Microsoft Settlement

To Whom It May Concern,
I am writing to express my discontent with the current Microsoft Antitrust settlement. The initial case found Microsoft guilty of predatory practices and to be a monopoly, however the punishment was diluted to no more than a slap on the wrist. It has been proven that Microsoft used its Operating System market share and influence to force out competitors in the internet browser market, and good arguments can be made that they have done the same in office/business applications.

The only way to ensure these practices are not continued is to break up the company into operating system and application daughter companies, with oversight to ensure special treatment is not given to ex-MS companies over their competitors in each market. Barring the dismantling of the illegal monopoly, it is imperative that the operating system APIs become open to all so that competitors in the application markets will be on a level playing field with the Microsoft applications.

Information is power, and third party developers have been specifically kept from full disclosure, thus at a great disadvantage. The monopoly of Microsoft must be ended.

Thank you for your time,
Sincerely,
Barrett Dillow

MTC-00015778

From: Arthur Knoll
To: Microsoft ATR
Date: 1/23/02 10:01am
Subject: Microsoft Settlement

To Whom It May Concern:
Regarding the Microsoft settlement, I do not believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of its competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

I feel the damage Microsoft has done to the software and OS marketplace is incalculable, and the proposed settlement does little to correct it. I do not feel the settlement levels the playing field for competing operating systems or office software, and would like to see a much stronger penalty imposed. The proposed settlement does not sufficiently relieve Microsoft of the ability to leverage hardware and computer manufacturers unfairly against competing products, nor does it adequately open the Windows API to programmers.

The current proposed settlement is unacceptable.

Thank you for your time.
Arthur Knoll
6105 Pritchard West
Virginia Tech
Blacksburg, VA 24060-0024

MTC-00015779

From: Michael Engelby
To: Microsoft ATR
Date: 1/23/02 10:02am
Subject: "Microsoft Settlement

To Whom it May Concern, The settlement does not inflict enough reparations to correct in principle the prior monopolistic actions of Microsoft. It does nothing to curtail future business actions. Microsoft will always act as it has in the past, with ruthless business tactics that in the end—are bad for US (and world) economy.

Please consider this as a vote against the current settlement as it stands now.

Michael E. Engelby
Eden Prairie, MN
(952) 484-0799

MTC-00015780

From: Robert J Brenneman
To: Microsoft ATR
Date: 1/23/02 10:02am
Subject: Microsoft Settlement

To whom it may concern,
I believe the proposed settlement is a bad idea because of the reasons outlined in Dan Kegel's open letter. <http://www.kegel.com/remedy/letter.html>

Jay Brenneman

The opinion expressed here is my own, and may not reflect the opinion of my employer.

MTC-00015781

From: Robert Hyland
To: Microsoft ATR
Date: 1/23/02 10:02am
Subject: Microsoft Settlement
To: microsoft.atr@usdoj.gov
Subject: Microsoft Settlement
To: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Under the Tunney Act, I wish to comment on the Microsoft settlement's inadequacy in improving the competitive environment in the software industry. Some serious shortcomings relate to:

1) Middleware.—The current language in Section H.3 states "Microsoft Middleware Product would be invoked solely for use in interoperating with a server maintained by Microsoft (outside the context of general Web browsing)" does nothing to limit the company's ability to tie customers and restrict competition in non Web-based networked services under .NET, as they fall "outside the context of general Web browsing". Microsoft has already begun abusing its desktop monopoly to tie customers into .NET revenue streams and set up a new monopoly over the network. Part 2 of the same section states "that designated Non-Microsoft Middleware Product fails to implement a reasonable technical requirement..." essentially gives Microsoft a veto over any competitor's product. They can simply claim it doesn't meet their "technical requirements."

2) Interoperability.—Under the definition of terms, "Communications Protocol" means the set of rules for information exchange to accomplish predefined tasks between a Windows Operating System Product on a client computer and Windows 2000 Server or products marketed as its successors running on a server computer and connected via a local area network or a wide area network." This definition explicitly excludes the SMB/CIFS (Samba) protocol and all of the Microsoft RPC calls needed by any SMB/CIFS server to adequately interoperate with Windows 2000. Microsoft could claim these protocols are used by Windows 2000 server for remote administration and as such would not be required to be disclosed. The Samba team have written this up explicitly here:

<http://linuxtoday.com/news—story.php3?tsn=2001-11-06-005-20-OP-MS>

3) General veto on interoperability.—In section J., the document specifically protects Microsoft from having to “document, disclose or license to third parties: (a) portions of APIs or Documentation or portions or layers of Communications Protocols the disclosure of which would compromise the security of anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems, including without limitation, keys, authorization tokens or enforcement criteria” Since the .NET architecture being bundled into Windows essentially builds “anti-piracy, anti-virus, software licensing, digital rights management, and authentication systems” into all levels of the operating system, ANY API, documentation, or communication layer can fall into this category. This means that Microsoft never has to disclose any API by claiming it’s part of a security or authorization system, giving them a complete veto over ALL disclosure.

4) Veto against Open Source.—Substantial amounts of the software that runs the Internet is “Open Source”, which means it’s developed on a non-commercial basis by nonprofit groups and volunteers. Examples include Apache, GNU/Linux, Samba, etc. Under section J.2.c., Microsoft does not need to make ANY API available to groups that fail to meet “reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business.” This explicitly gives them a veto over sharing any information with open source development projects as they are usually undertaken on a not-for-profit basis (and therefore would not be considered authentic, or viable businesses).

These concerns can be met in the following ways:

1) Middleware: Extend middleware interoperability with a Microsoft server to ALL contexts (both within general Web browsing as well as other networked services such as are those being included under .NET).

2) Interoperability: Require full disclosure of ALL protocols between client and Microsoft server (including remote administration calls)

3) General veto on interoperability: Require Microsoft to disclose APIs relating to “anti-piracy, anti-virus, software licensing, digital rights management, encryption, or authentication systems” to all.

4) Veto against Open Source: Forbid Microsoft from discriminating between for-profit and nonprofit groups in API disclosure.

Sincerely,
Rob Hyland
87 Summer St
Stoneham, MA 02180
CC:llamapadeast@earthlink.net@inetgw

MTC-00015782

From: ctb@usra.edu@inetgw
To: Microsoft ATR
Date: 1/23/02 11:00am
Subject: Microsoft Settlement

The proposed settlement is a bad idea. It neither alleviates the illegal advantage

already obtained by Microsoft nor does it prevent the continuing attempts to extend the Microsoft monopoly into online services, personal digital recorders, cable television and other areas. It allows technological progress to continue to be impeded by entrenched corporate interests at the expense of consumers.

The company’s behavior has not changed and it continues to hold back the pace of innovation in the computer industry. I am a 20+ year veteran of that industry and regard the proposed settlement as the most cynical sort of obfuscation and corruption.

Please do not allow this abuse to continue.

Carl Beaudry
629 River Bend Road
Fort Washington, MD 20744

MTC-00015783

From: M M
To: Microsoft ATR
Date: 1/23/02 10:02am
Subject: MICROSOFT SETTLEMENT
Judge KK:

Please undo the potential damage to our entire industry inherent in the Justice Dept’s proposed settlement with MS. It is an outrage to see MS get off with little more than a slap on the wrist?and it is a very dangerous precedent for our country.

We are counting on you to do the right thing.

N Biliunas
320 Sweet Creek
Richmond, VA
23233

MTC-00015784

From: Joe P.
To: Microsoft ATR
Date: 1/23/02 10:03am
Subject: [Fwd: Microsoft Settlement]

I agree with what my friend has said. I want to further add that any part of the settlement that involves the public education system should be severely restricted. Microsoft should not be allowed to create a new monopoly in the educational software markets as a result of this settlement. The point of the settlement is to hinder their current monopoly.

Any settlement involving public education should therefore be restricted to Microsoft’s payment of actual money to qualifying educational institutions. There should be no donation of hardware or software, and the money should be given without restrictions, consultation, or even suggestions to the public education bodies involved. The schools should be free to use the money in whatever way they choose—for example, increasing teachers’ salaries, hiring additional teachers, building new facilities, or purchasing whatever computer hardware and software the schools prefer.

Thank you for your patient consideration,
Joseph Porter
Software Engineer

Note: My views do not constitute the views of my employer, nor any of its affiliates.

—Forwarded Message—

From: Greg Willden
<gregory.willden@swri.org>
To: microsoft.atr@usdoj.gov
Subject: Microsoft Settlement

Date: 23 Jan 2002 08:18:47 -0600

I would like to comment on the Microsoft Settlement under the statutes of the Tunney Act.

I think that the settlement is very poor and does not properly address the real issues. There are numerous loopholes in the proposed settlement that will allow Microsoft, who has a history of unethical and illegal actions, to transform this penalty into an advantage for them. In order to restore proper competition I think it necessary for Microsoft to publish the file formats of all their Microsoft Office files. The .doc file format is widely used. If the format were made available then other office productivity suites like WordPerfect,

StarOffice, Abiword and OpenOffice could effectively compete with them. Original Equipment Manufacturers (OEMs) must be allowed to sell a computer that can boot up into more than one Operating System. This has been attempted in the past but has been quashed by Microsoft’s legal team. It is suspected that Microsoft is forcing the OEMs into single OS bootloader licenses that disallow this behavior.

These are only a few of the things that Microsoft has done to stifle competition and innovation. For all of Microsoft’s talk about being able to innovate. They are doing more to hurt it than they are to help it.

The settlement also needs to have some real teeth. The ‘independent’ auditors/monitors of Microsoft’s behavior need to have complete independence and freedom to discuss any of their findings with the public and press. Unless they are allowed to do this their voices will be too easily silenced.

Microsoft should also have major fines imposed upon it for future violations of the settlement. Fines substantial enough that it will think twice before violating the public trust. And the monies collected from these fines should go to their competitors. I would recommend projects related to the GNU/Linux Operating System. Microsoft has openly acknowledged that Linux is a real competitor. What better way to ensure compliance than to force Microsoft to donate substantial funds to their competitors.

Microsoft has been shown to practice illegal predatory behavior. Do not cave in to them and give them a settlement with so many loopholes. They will exploit it to the detriment of all.

Greg Willden
San Antonio, Texas
Software Engineer

MTC-00015785

From: Brian Reichert
To: Microsoft ATR
Date: 1/23/02 10:02am
Subject: Microsoft Settlement

I believe that the proposed settlement in the Microsoft case isn’t sufficient. A stronger remedy should be considered.

Brian Reichert

MTC-00015786

From: Dennett, Pete
To: Microsoft ATR
Date: 1/23/02 10:03am
Subject: Microsoft Settlement

The proposed settlement has many problems.

I urge you to rethink it, and develop something that more adequately addresses many of the primary concerns that consumers have with Microsoft.

Pete Dennett
Tacoma, WA

MTC-00015787

From: James Hammond
To: Microsoft ATR
Date: 1/23/02 10:07am
Subject: Microsoft Settlement

Concerning the current United States v. Microsoft antitrust case: I have read over the Stipulation and Revised Proposed Final Judgement of 11/06/2001, and am NOT in favor of it in its current state. The settlement does not, in any way, penalize Microsoft for its past infringements of the law. For many years, OEMs have been under control of this corporation, and simply "formalizing" this law in a document is not enough. Microsoft has been declared guilty of past wrongs, and must now be held accountable in some measure. The current proposed settlement is unacceptable.

Thank you,
John H. Hammond
Shawnee, OK

MTC-00015788

From: David Wiley
To: Microsoft ATR
Date: 1/23/02 3:11am
Subject: Microsoft Settlement
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

I am writing to express my deep concern that the proposed final judgment in the US vs Microsoft case is completely unacceptable. While I personally believe each of the individual remedies needs improvement (see <http://www.kegel.com/remedy/remedy2.html> for example), I have a much greater overarching concern.

When dealing with Microsoft the court has shown a tendency to overlook conduct which at the time of trial appears to then be irrelevant. With the speed at which the technology sector progresses, Microsoft can never be held accountable via legal proceedings when this pattern is followed. By the time the case finally makes it to court, the competition is dead and gone, or the point is now moot for some other reason, and Microsoft walks away with not even a wrist slap. Unless substantive changes are put in place, Microsoft is sure to continue having its way in the market, dragging its feet to court, and getting away with illegal acts year after year. I truly believe that this is not an overstatement, but the very pattern of behavior we will continue to see.

Please do not let the current economic climate dissuade you from doing the right thing. Legal restrictions on practice will not prevent Microsoft from acting illegally again. Only drastic measures which have the effect of structurally, physically, preventing illegal behavior have a chance of preventing further illegal behavior on Microsoft's part. Any lesser remedy is nothing short of government

approval to Microsoft to continue acting illegally. I would be happy to discuss my opinion with you further, at your leisure.

Your faithful servant,
David Wiley, Ph.D.
Assistant Professor of Instructional
Technology
Utah State University
UMC 2830
Logan, Utah 84322-2830
wiley@cc.usu.edu
CC:wiley@cc.usu.edu@inetgw

MTC-00015789

From: Michael Gates
To: Microsoft ATR
Date: 1/23/02 10:03am
Subject: Microsoft Settlement

This settlement is simply ineffective, since it uses overly-restrictive definitions of terms such as "Windows OS", "API", and the like. These definitions allow Microsoft to completely escape from the terms of the settlement simply by changing the names of its products, and Microsoft comes up with a new name for every version of Windows anyway.

Michael Falcon-Gates

MTC-00015790

From: Tom Brown
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:04am
Subject: Microsoft Settlement

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Many businesses have ceased to exist because of Microsoft's strong-arm business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of its competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.

MTC-00015791

From: M M
To: Microsoft ATR
Date: 1/23/02 10:04am
Subject: MICROSOFT SETTLEMENT
Please Judge;

Do the right thing by our country and our world'send the PFJ back to the Dept of Justice to be fixed!!

It is not a fair and equitable settlement?it is in fact completely one-sided. How can they let Microsoft essentially police itself?? That flies in the face of all of the company's history!!

Please do the right thing.
Bev Mozzerolli

247 Wilkins St
Manchester NH
03102

MTC-00015792

From: Edward Chowdhury
To: Microsoft ATR
Date: 1/23/02 10:05am
Subject: Microsoft Settlement

To whom it may concern,
I think that the proposed settlement between the Microsoft and the Department of Justice is a truly bad idea. It will do nothing to restore competition and will in effect be a reward for Microsoft's demonstrably anti-competitive behaviour.

Yours Sincerely,
Edward Chowdhury

MTC-00015793

From: chris-petition@bactram.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:04am
Subject: Microsoft Settlement

The current Microsoft Settlement is a bad idea. Microsoft has been convicted of antitrust behavior. It has already been established that they broke the law. They were supposed to be better corporate citizens after the 1995 settlement, but they continued their anti-competitive actions.

Any fair resolution to this case must address at least these points:

* Oversight to make sure that they don't continue. This oversight must really be able to stop bad behavior.

* Microsoft should publish ALL Application Programming Interfaces to all of its products. This includes standard API calls, file formats and network protocols. And this means ALL API calls, file formats and network protocols. As a programmer I've been blocked by undocumented API features that allow Microsoft's software to do things that I couldn't simply because they wouldn't tell anyone how to do certain things. Basically, all interfaces must be published. They must be available to everyone on a public website, or on a CD for a nominal fee (maximum \$50)

* Microsoft must publicly publish all APIs 3 months before they release any product that uses those APIs. This includes alpha or beta software. If the APIs change then they must publish those changes and can not release any version of the software that uses those changes for 3 months. All API documentation must clearly indicate what the changes were.

* Open Source software developers must not be blocked. Open source software is available for free, usually under the GNU General Public License. Open source projects and programmers must have access to APIs to be able to create competing products. Information must not be denied to such projects simply because the projects do not charge a fee. These are only my top issues. There are many more that must be included to reach a fair settlement for something of the magnitude of Microsoft's crimes.

Thank you.
Chris Riley
2104 Jersey Ave
Scotch Plains, NJ 07076

MTC-00015794

From: Ron Standage

To: Microsoft ATR
Date: 1/23/02 10:04am
Subject: Microsoft Settlement

Greetings,

In regards to the proposed settlement, I am opposed to it because it fails to redress past misbehavior by Microsoft.

To be fair, all APIs into the operating system and file formats for any applications with a monopoly market position such as Microsoft Office components, must be made open to all requestors and made available on the WWW with any changes announced in detail at least six months prior to implementation or delivery into the marketplace.

Further, all applications, such as browsers, must be separated from the operating system and able to be removed, or replaced by a competing product, without hindering the operation of the underlying OS.

Finally, consumers who purchase a computer with any Microsoft operating system preinstalled must be able to remove the operating system and receive a refund of that portion of the purchase cost attributable to the expense of the OS.

Thank you for receiving my comments.

Ron Standage
2058 E. Winchester Way
Chandler, AZ 85249
rstandage@garbersoft.net

MTC-00015795

From: Evil E
To: Microsoft ATR
Date: 1/23/02 10:03am
Subject: Microsoft Settlement

Microsoft has every right to include in "their products" their own products! christ who can tell a company not to sell or give away anything. sounds like marx and lenin are alive and well in your town buddy. any of us, big or small rich or poor can give away or sell cheaper anything, at our discretion. look what you retards did with at-t now everyone with a phone suffers because the govt is afraid of big companies with the wearwithall to oppose their marxist pilcy. soon computer technology because of you will cost so much it will be out of the reach of ordinary folks. sorta like 50 dollar phone bills that used to be 10 dollars. wow that competition huh. GROW A BRAIN!!!!!! microsoft is the net and we dont mind. without them technology will grind to a halt (we can heard sheep is that what you want comrade) if they pull their patents, and just stop (and they can) you will have to steal their ideas and force someone to pick up where they left off that is treason and trechery! they have the ball let em run with it! go away.

God help us this shoulnt even be happening. let microsoft pave the way! get the hell out of our lives we dont want you here. we really ,really dont want you here.

E.E

MTC-00015796

From: kevin@wt6.usdoj.gov@inetgw
To: Microsoft ATR
Date: 1/23/02 10:05am
Subject: Microsoft Settlement

From what I have read in the press concerning the proposed settlement, it does

not force Microsoft to abandon any of the practices that caused the lawsuit to be applied. Does the three person "watchdog council" have any enforcement powers? Does anyone else? I am not aware that Microsoft has shown any change of policy, which appears to be "we want to control every aspect of computers and their use", and I don't think the proposed settlement has any power to force them to change.

Kevin Sisson

MTC-00015797

From: Troy Smith
To: Microsoft ATR
Date: 1/23/02 10:04am
Subject: Microsoft Settlement

I think that the proposed settlement regarding the Microsoft will fail to break Microsoft's monopoly. I have co-signed Dan Kegel's comments as to why I feel this way.

Thank You,
Troy Smith

MTC-00015798

From: Michael Patrick Kenny
To: Microsoft ATR
Date: 1/23/02 10:05am
Subject: Please Break Them Up
To Whom It May Concern,

As a concerned citizen and computer user, I found the verdict in the Microsoft anti-trust trial reprehensibly one-sided and a disservice to the Cause of Justice in America.

I urge you to reconsider the verdict. MS having control of the operating system already gives them a monopoly on the desktop. Allowing them to leverage that monopoly to give them unfair advantage in each and every (previously) competitive market on the desktop really stifles innovation, no matter what Bill Gates and Steve Ballmer say.

I actually believe that, in your zeal to protect and preserve entrenched businesses in America you are killing the pioneer spirit of entrepreneurial endeavor, and so the decision to kowtow and cave completely to Judge Penfield's decision, no matter how emotional he became (I believe he was sorely tested) can only be construed as political and Machievellian, in these jaded times.

A breakup of the company is the only viable solution. C'mon, Justice Department, you had the courage to do it in the early 1900's, why can you not see the light now? Please reconsider your terrible and biased decision in the interests of your true constituency, the American people.

Thank You,
Michael Patrick Kenny and family

MTC-00015799

From: Bradley Hawkins
To: Microsoft ATR
Date: 1/23/02 10:05am
Subject: Microsoft Settlement

The proposed settlement is not in the best interest of the public. The three points below would address my concerns with the settlement and Microsoft's monopolist practices:

Opening the Windows API falls short of leveling the field; a just settlement would require that Microsoft's file formats be made public.

Computer users who wish to employ a non-Microsoft operating system nevertheless now must pay for Microsoft software when buying a new computer. Any remedy seeking to prevent an illegal extension of Microsoft's monopoly must prohibit preload agreements, placing Microsoft products as extra-cost options, so that the user who does not wish to purchase Microsoft products is not forced to do so.

To encourage competition, a just settlement would enjoin Microsoft from selling its software to anyone at a lower price than it sells it to anyone else. This means that for the price differential between a new computer with Microsoft software and one without, a computer seller must offer the software without the computer.

Bradley Hawkins
bradley@bradleyhawkins.org

MTC-00015800

From: The Doctor What
To: Microsoft ATR
Date: 1/23/02 10:06am
Subject: Microsoft Settlement

I oppose the proposed final judgement for Microsoft. It doesn't address enough of the problems created by Microsoft. The scope of the pfj does very little, and it would seem that Microsoft would happily ignore it, as it has with past judgements.

<http://www.kegel.com/remedy/remedy2.html>

MTC-00015801

From: Glen Henshaw
To: Microsoft ATR
Date: 1/23/02 10:05am
Subject: Microsoft Settlement

To Whom It May Concern:

I am writing to express my opposition to the proposed Microsoft settlement. Recent events in the software world have shown that one very effective way to encourage competition is to "open up" an operating system's API (application programmer's interface) so that other developers can create new operating systems which are compatible with the old one. This is the easiest way to give users a choice of systems, since they are not required to change the applications they already use. There are several such projects already in existence: Wine and LindowsOS are among them. The developers of these products have been extremely hampered by the closed nature of the Windows operating system. Forcing Microsoft to publish their complete API would go a long way in encouraging third party Winodws-compatible products, and is one of the only effective ways to mitigate Microsoft's monopoly. This requirement is not part of the current settlement.

The same goes for file formats. It is impossible to produce a product that competes effectively with Microsoft Excel without the ability to open Microsoft Excel files—and Microsoft does not document the format of Excel files (or Word files or Access files... the list goes on). Language requiring public documentation of these files should be present in the settlement. Unfortunately, this is also not a requirement of the current settlement. Another major problem with the settlement is the lack of a strong enforcement

mechanism. Microsoft has shown that it is willing to bend—or break—the rules of agreements in the past if it thinks doing so is to its advantage.

This is a company without scruples. A special master must be in place to monitor compliance and to assist the courts in settling disputes. Finally, Microsoft was found guilty of predatory practices against their competitors. They should be required to pay damages to those competitors. Such a requirement is not part of the current settlement. I urge you to reject the current settlement. This is the best chance to rein in Microsoft's abusive practices. The current settlement will not do that.

Sincerely,
Glen Henshaw
GlenHenshawmachine@ssl.umd.edu
Space Systems Lab
http://www.ssl.umd.edu
University of Maryland(301) 405-7353

MTC-00015802

From: Embery, Nathan
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:00am
Subject: Microsoft antitrust Settlement

To whom it may concern,

I believe it to be sufficiently proven that Microsoft has broken the law. I also believe that no stretch of the imagination is required to believe that Microsoft will break the same laws again. It would be a most egregious mistake to simply dismiss this fact.

I assure you that Microsoft's anticipative, monopolist practices will only continue. This is already evidenced by the recent pricing initiative taken by Microsoft. Apparently they are moving to a model where they can force upgrades at their discretion. This would force nearly *every* business in the *world* to pay several hundred to several million dollars to Microsoft every two years. Actually, at any time MS chooses. This would surely never happen if there were at least one alternative software company. This is elementary economics. Monopolies are *not* good.

The problem is: there is no alternative. No small startup, not even a company like Sun Microsystems, can compete. Because of the propriety file formats MS employs, once a company uses MS Office, they are forced to stay with, or recreate every document they have. That alone, will keep MS in business for quite some time. This is only one example. The list goes on and on. Take .NET, the CIFS protocol, the Kerberos protocol, OEM licensing restrictions, non disclosure of "hidden" APIs.

I urge you, as a taxpaying citizen, to look at this matter very closely. Any reasonable person can see the illegality of these actions. A punishment fitting the crime is absolutely required. Please don't give anyone the impression you were bought off. I assure you, anything less than harsh, will be viewed in exactly this way. thank you for your time,

Nathan Embery
CrownCastle IT
office (724)-416-2207

MTC-00015803

From: Todd Hanson
To: Microsoft ATR

Date: 1/23/02 10:05am
Subject: Microsoft Settlement

The proposed settlement is a bad idea.

MTC-00015804

From: William Stewart
To: Microsoft ATR
Date: 1/23/02 10:05am
Subject: Microsoft Settlement

I am a software specialist providing computer support to law firms in the Charleston, SC area. Every day I have to deal with issues of compatibility, security, and the replacement of superior software products with inferior Microsoft products whose pernicious spread has been supported by that company's long history of anti-competitive conduct. Microsoft's actions have caused considerable harm both to the progress of the computer industry as a whole, and to the American economy. They have driven competitors with superior products out of the market, have purposely built incompatibilities into their products to lock out competition, with no regard to useability, and have repeatedly and unashamedly lied to their customers, the industry, and the American government. The current remedies under consideration amount to a slap on the wrist that Microsoft will write off as a cost of doing business. They will in no way cause the corporation to alter their behavior (except, perhaps, to encourage them to become more bold in their actions since they will know no fear of reprisals), and will in no substantial way remedy the damage that Microsoft's actions have done.

With sincere concern, I remain,
William James Stewart
843-810-3484

CC:tunney@codeweavers.com@inetgw

MTC-00015805

From: Scott
To: Microsoft ATR
Date: 1/23/02 10:06am
Subject: Microsoft Settlement

Hello, I read these points on the internet and agree these need to be applied to Microsoft.

PFJ Section III: Prohibited Conduct

1. Microsoft will not retaliate against OEMs who support competitors to Windows, Internet Explorer (IE), Microsoft Java (MJ), Windows Media Player (WMP), Windows Messenger (WM), or Outlook Express (OE).

2. Microsoft will publish the wholesale prices it charges the top 20 OEMs (Original Equipment Manufacturers) for Windows.

3. Microsoft will allow OEMs to customize the Windows menus, desktop, and boot sequence, and will allow the use of non-Microsoft bootloaders.

4. Microsoft will publish on MSDN (the Microsoft Developer Network) the APIs used by IE, MJ, WMP, WM, and OE, so that competing web browsers, media players, and email clients can plug in properly to Windows.

5. Microsoft will license on reasonable terms the network protocols needed for non-Microsoft applications or operating systems to connect to Windows servers.

6. Microsoft will not force business partners to refrain from supporting

competitors to Windows, IE, MJ, WMP, WM, or OE.

7. (Roughly same as F above.)

8. Microsoft will let users and OEMs remove icons for IE, MJ, WMP, WM, and OE, and let them designate competing products to be used instead.

9. Microsoft will license on reasonable terms any intellectual property rights needed for other companies to take advantage of the terms of this settlement.

10. This agreement lets Microsoft keep secret anything having to do with security or copy protection.

PFJ Section VI: Definitions

1. "API" (Application Programming Interface) is defined as only the interfaces between Microsoft Middleware and Microsoft Windows, excluding Windows APIs used by other application programs.

2. "Microsoft Middleware Product" is defined as Internet Explorer (IE), Microsoft Java (MJ), Windows Media Player (WMP), Windows Messenger (WM), and Outlook Express (OE).

3. "Windows Operating System Product" is defined as Windows 2000 Professional, Windows XP Home, and Windows XP Professional.

I also think they need to openly publish complete specifications for their Office document formats to allow others to import/export these proprietary formats.

— Scott Edlund

MTC-00015806

From: howadani@wt6.usdoj.gov@inetgw
To: Microsoft ATR
Date: 1/23/02 10:06am
Subject: Microsoft Settlement

I feel the proposed settlement is a bad idea.
Danial M. Howard
IT Programmer/Analyst Associate
Idaho State University
Pocatello, Idaho

MTC-00015807

From: Jeremy Cothran
To: Microsoft ATR
Date: 1/23/02 10:06am
Subject: Microsoft Settlement

I think the current settlement is a bad one because it does nothing to truly discourage Microsoft's monopolistic behavior.

MTC-00015808

From: David Crotty
To: Microsoft ATR
Date: 1/23/02 10:07am
Subject: Antitrust Settlement

I wish to express my sentiments against the proposed Microsoft/DOJ settlement. I feel it does not address the issues of the case, will cause no substantial changes in the company's behavior, and provides no means for enforcement.

Shape is always the result of an inquisition process of matter. Freedom is shapeless. Morphology, a word invented by Goethe, has infinite consequences."

Salvador Dali

MTC-00015809

From: Christian H(00F6)ltje
To: Microsoft ATR
Date: 1/23/02 10:07am

Subject: Microsoft Settlement

I oppose the Proposed Final Judgment as being much too lenient.

MTC-00015810

From: Scott_Brown@
criterioncatalysts.com@inetgw

To: Microsoft ATR

Date: 1/23/02 10:06am

Subject: Microsoft Settlement

I would like to express my disappointment with the proposed settlement. It doesn't seem to go far enough. There is no fundamental change happening as a result of this settlement. For all intents and purposes it would seem that Microsoft can continue to do business the same way it always has. It was apparent from the trial that the past behavior in regards to past court mandated orders did not change. The people at Microsoft were smart enough about their product to simply program a way around any restrictions. It was business as usual. I am a long time Microsoft product systems administrator. I like their products and I have built a career around what they have to offer. I am disturbed however by the complete focus of the management at Microsoft on getting that last 10%. It is a given they own 90% of the market, mostly due to products that fit a particular area, not because of exceptionally better products. You would think that a company that has achieved this kind of dominance would be interested in building a better product with the large resources they have. This does not appear to be the case. Their primary focus is driving out competition and getting the last 10% they don't have. Because of their success their business is forced strategy wise to invest and diversify, hence the drive to fill out the remaining uses of their core products, OS and Applications. They are moving into all of the other areas like music players, computer maintenance software like defragment utilities and such. I would not be surprised to hear they are coming out with their own antiviral software.

It would seem the drive and ambition that got them where they are is still there. Unfortunately when you are as large as they are drive and ambition quickly become threats and coercion to companies that are infinitely smaller. At some point a company must mature and shift gears in how it runs its business and relates to the companies around it. Microsoft hasn't reached this type of maturity yet. They have succeeded in alienating almost everyone in this business. It is my hope that the antitrust case will force this maturity upon them. Sometimes you have to make people change for their own good. Its called intervention in the substance abuse circles.

Scott Brown
Systems Admin

MTC-00015811

From: Bob Cantwell

To: Microsoft ATR

Date: 1/23/02 10:06am

Subject: Microsoft Settlement

January 23, 2002

Attorney General John Ashcroft

US Department of Justice, 950 Pennsylvania Avenue, NW

Washington, DC 20530-0001

Dear Mr. Ashcroft:

I am writing to you to let you know that I endorse the Microsoft antitrust settlement agreement. The industry can only benefit from a quick resolution to this case. It is in the best interest of the public that Microsoft and the technology industry are allowed to get back to business as soon as possible.

I know and understand the terms of the settlement agreement to be fair, and I would state that they go beyond what should be expected of Microsoft. I am especially concerned about the proposed remedies that the nine "hold out" states are looking for. The line has to be drawn somewhere with respect to IP rights, innovation and competition.

The restrictions Microsoft has agreed to will ensure there will be fair competition among the various software companies. In the interest of resolving this suit, Microsoft has agreed not to exercise its intellectual property rights; to make its code available to its competitors; and to not retaliate in any way against those who promote software that competes with Windows.

Microsoft's business practices will dramatically change, with the approval of this agreement. The playing field will be leveled to the point of favoring Microsoft's competitors, and they will be given greater opportunity to compete with Microsoft's Windows operating system. Innovation will be negatively impacted if the lawsuit is allowed to continue. The settlement agreement will allow the industry to continue growing in an unfettered, competitive market place that moves too quickly for any legal proceeding. I know there will be no silver bullet in these matters, but with diligence and fairness, the technology industry, specifically the PC industry should be allowed to help the economy prosper through hard work, determination, healthy (tough) competition and the synergy's that standards provide. Perhaps the government should be more involved in the internet standards bodies, where no one knows what decisions are being made that will greatly impact the direction of the Internet and related business. Lastly, I always hear about consumer choice and how important it is, but as a consumer, I do not want to see the other extreme, where I have to choose every little component of my Computer. People who purchase large ticket items want as much out of the box as possible, so in the spirit of "Equal Access" vis a vis AT&T divestiture, I would think that including competitive software (Real Player, AOL client, etc.) within Windows shipped from the hardware manufacturers is a fair remedy, compared to breaking up Windows into multiple components and creating confusion and discordance in the industry.

Many thanks for taking the time to read my comments.

Sincerely,
Robert Cantwell, Jr.
7 Amanda Lane
West Chester, PA 19380
CC: Senator Rick Santorum (PA)

MTC-00015812

From: chad phillips

To: Microsoft ATR

Date: 1/23/02 10:07am

Subject: 'Microsoft Settlement'

Hello,

I am writing to comment on the tentative settlement of the United States vs. Microsoft antitrust lawsuit. I believe the settlement in its current form will do little to remove or even slow down Microsoft's current monopoly over the software market. For years I have seen software from non-Microsoft companies be rendered useless by Microsoft "upgrades". Attempts to integrate non-Microsoft software with Windows and other Microsoft products are usually thwarted by Microsoft using its monopoly power.

In order to allow the software industry to thrive, I humbly ask that you reach a settlement that will stop Microsoft from using its monopoly power to kill any and all competitors.

Sincerely
Chad Phillips

MTC-00015813

From: John Burroway

To: Microsoft ATR

Date: 1/23/02 10:06am

Subject: Microsoft Settlement

I have read the proposed settlement, and do not consider it fair or equitable. It appears to be simple appeasement towards Microsoft, as well as acceptance and formalization of their unethical and monopolistic practices that have driven so many competitors out of the marketplace. Microsoft has been found guilty, and they still their behavior has not changed. They have attempted to sway states' attorneys general with letters apparently sent by the deceased. It has even been reported that they are trying to tilt the comments submitted during this period in their favor. They have demonstrated their lack of moral fortitude time and time again, and this settlement will allow them to walk away with everything they have ever wanted. Please consider this a vote against the current settlement and a vote to seek a new settlement more favorable to freedom and fair competition.

John Burroway
Columbus, Ohio

MTC-00015814

From: Whitworth, Shane

To: "microsoft.atr(a)usdoj.gov"

Date: 1/23/02 10:07am

Subject: microsoft settlement

The Microsoft settlement as stands is horrific.

In fact, it is a very good example of what is wrong when companies are allowed to buy out the government.

It is a slap in the face to the American people. I personally feel sold out by the DOJ for even considering this.

Anyone who looks at this can tell the difference the Bush administration has had in this case.

SOLD OUT.

I fully agree with the information in the following link.

<http://www.kegel.com/remedy/letter.html>
Tommy Shane Whitworth
US CITIZEN

1091 Valley Forge Rd.
Clover, SC 29710
803-831-2283

MTC-00015815

From: Patrick McDonald
To: Microsoft ATR
Date: 1/23/02 10:08am
Subject: Microsoft Settlement
Dear Sirs,

I just want to comment that I think the proposed settlement in the Microsoft Anti-trust trial is highly unjust and deserves further review.

Patrick McDonald

MTC-00015816

From: Jason R
To: Microsoft ATR
Date: 1/23/02 10:07am
Subject: Microsoft Settlement

I think the proposed settlement is bad.

MTC-00015817

From: Catherine, Janis
To: "Microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:06am
Subject: NO on Microsoft Settlement

I vote NO! to the proposed Microsoft Settlement.

I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundreds, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices. Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.

MTC-00015818

From: andaru
To: Microsoft ATR
Date: 1/23/02 10:04am
Subject: Microsoft Settlement

Dear Sirs,

I am a US citizen, and I am opposed to the proposed settlement of the DoJ's case against Microsoft.

Although Microsoft has been found guilty of breaking the law, there is nothing punitive in the settlement. Microsoft must be punished for its illegal activities, and greatly discouraged from engaging in illegal activities in the future.

Because of this, I must urge you to reject the proposed settlement with Microsoft, and pursue more aggressive means to ensure justice for the computer-using population.

Sincerely,

Andrew T. Phillips
Andrew T. Phillips
Software Engineer
Email: andaru@pacbell.net
Voice: (415) 695-7640
Fax: (415) 282-5318

MTC-00015819

From: Byron Norris
To: Microsoft ATR
Date: 1/23/02 10:08am
Subject: Microsoft Settlement
To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future.

The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general. While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,
Byron Norris
Tulsa, Oklahoma

MTC-00015820

From: Burt Schmitz
To: Microsoft ATR
Date: 1/23/02 10:08am
Subject: Microsoft Settlement
Sir:

I am sending earlier this message in re support of the Netscape suit against predatory Microsoft and Bill Gates business practices.

Burt Schmitz
7479 Bollinger Road
Cupertino, CA 95014-4332
11 November 1999
408-252-4724

Letters to the Editor:

In rebuttal to Luther Gipson's attack (Merc. News, 11 November) on Judge Penfield Jackson's defense of me from the predations of Microsoft, let me point out it isn't Bill Gates or anyone else's wealth; it is the computer-destructive content of Microsoft's ill conceived, poorly-developed, untested foisting of destructive junk software on we computer users. I am not alone; the derisive parodies that float around the E-mail world

ridiculing the Microsoft technology and destructive non-performance are legion.

One year and six months ago [June 1998], after not allowing the outside world into my computer for years, I surrendered. On the advice of a friend, I went Microsoft and his Explorer. Within two weeks my computer internal software had been destroyed by continuous destructive failures. I threw him off my system ... and will not let anything tagged Microsoft or Bill Gates back near my computer ... if I have to defend myself at the door with a shotgun!

Within a month, my friend's recommendation proved totally destructive of HIS computer ... the sequence of disasters eventually resulting in physical destruction of his hard drive. I have a friend in Albuquerque whose computer is continuously down because her system is one of Bill Gates' ersatz-wonderkind; she is not computer-literate, and is continuously being bombed by the Microsoft junk. She doesn't know where to turn; her user group props her up weekly.

An analogy: Bill Gates has, whenever competition has shown a worthwhile innovation, copied it, rushed to market ahead of testing and debugging, much like an auto manufacturer copying and rushing an ill-conceived auto design out to the public before a small town garage can test, perfect, and market its superior innovation.

My son works in a large institution where they once had two computer systems; one Microsoft and one Apple. The people forced to use the Microsoft system hated it, the users of the Apple system loved it ... and it was never down. Bill Gates predatory business practices resulted in elimination of the Apple system. Judge Jackson's decision was relatively mild. Nineteen governors can't be wrong.

Nuff said?
Burt Schmitz
Cupertino

MTC-00015821

From: mwilkers
To: Microsoft ATR
Date: 1/23/02 10:07am
Subject: Microsoft Settlement

The current settlement is garbage. Do not make the same mistake again and allow Microsoft to escape with barely a hand slap. They have been found guilty of monopolistic business practices and it is imperative to the health and future of this nation's computer industry that they be duly punished. A real punishment, not something as laughable as the "we'll donate a bunch of computers to schools so we can cut into one of our competitor's market shares". As Americans we expect equal treatment before the law and find it appalling when large companies escape/buy their way out of any real punishment. Hold Microsoft accountable for its crime.

Michael
Michael C. Wilkerson
Software Developer
Command Technologies, Inc.
(210) 520-7973 x 35

MTC-00015822

From: Scrivner, Steve (091)MMI/BOU(093)

To: 'microsoft.atr(a)usdoj.gov'
 Date: 1/23/02 10:00am
 Subject: Microsoft Settlement

The proposed settlement is a bad idea, and I hope that you will renegotiate it without so many loopholes.

MTC-00015823

From: William Sattler
 To: 'microsoft.atr(a)usdoj.gov'
 Date: 1/23/02 10:08am
 Subject: Microsoft Settlement

I cannot support the current proposed settlement. It has a few large loophole, and a some smaller ones that will allow Microsoft to continue to abuse its monopoly on personal computer operating systems. Specifically my main complaint is of III.J.1 which will give Microsoft the loophole they need. In fact they have already started to make use of this. Only as recently as January 16th has Microsoft announced their new "Trustworthy Computing" campaign. By integrating unnecessary security in portions of their products that do not require it, they will be able to exempt themselves from the most important parts of the proposed settlement. It is for primarily this reason that I refuse to support the current proposed settlement.

I wish to encourage the courts and involved litigants to find a settlement that will perform as intended. This is an issue far too serious to let such obvious loopholes ruin the works of the Department of Justice that I and many other taxpayers have paid for. Unless changes are made, the Department of Justice will not have met its obligations to the American Citizens.

William Alan Sattler,
 Columbia, SC
 (803) 748-9876

MTC-00015824

From: RickR1208@aol.com@inetgw
 To: Microsoft ATR
 Date: 1/23/02 10:08am
 Subject: microsoft settlement

To Whom it May Concern:

Please settle this case and leave Microsoft alone. Microsoft provides excellent products and services at a very reasonable price. The monopoly I am most concerned about is the Federal Government. It gets its funds by confiscating my money and it has no competition at all.

Richard Reed
 1208 Manor Park Ave
 Lakewood, Ohio

MTC-00015825

From: POYNTER@adeq.state.ar.us@inetgw
 To: Microsoft ATR
 Date: 1/23/02 10:08am
 Subject: Microsoft Settlement

To Whom It May Concern,

The proposed settlement is NOT appropriate. Any settlement should include cash money (not MS Software) and have a provision for mandatory public disclosure of API's to the OS and BackOffice software.

I have 20 years of experience with computers and have watched the industry fairly closely during this time. MicroSoft has too much control over how PCs are used and should not be trusted. Just look at how well they followed your last decree.

Hammer "em,
 david
 David Poynter
 ADEQ—Computer Services Division
 (501) 682-0754
 poynter@adeq.state.ar.us

MTC-00015826

From: Unknown
 To: Microsoft ATR
 Date: 1/23/02 10:10am
 Subject: Microsoft Settlement

I think the proposed settlement is a bad idea. It does not do enough to prevent Microsoft from spreading their Monopoly into other areas, or punish them for the abuses they have already been proven guilty of.

Noah Bast
 5912 Petre Drive
 Auburn, NY 13021

MTC-00015827

From: M M
 To: Microsoft ATR
 Date: 1/23/02 10:09am
 Subject: MICROSOFT SETTLEMENT

Judge K;

It is essential for the functioning of a free economy that those very rare companies that establish a defacto monopoly in a critical industry be effectively regulated or at least overseen by the Federal government. The current draft of the PFJ completely fails in this regard. Free markets are great but where would our country be with only one supplier of oil, or only one railroad???

Looking forward to your decision in this case.

S Ambron
 2490 Sand Hill Road
 Menlo Park, CA 94025

MTC-00015828

From: Daniel R. Collins
 To: Microsoft ATR
 Date: 1/23/02 10:10am
 Subject: Microsoft Settlement

Renata B. Hesse
 Antitrust Division
 U.S. Department of Justice

Dear Madam:

As a professional software developer, I find the proposed settlement in the antitrust case between Microsoft Corporation and the Department of Justice to be disturbing in its insufficiency. The most telling detail of the settlement is that it, to my reading, will allow Microsoft to continue using its monopoly position freely in opposition to "open source" software developers—that is, software writers who work in a charitable and nonprofit capacity, leveraging the free-copying capacities of the Internet to benefit anyone who wishes to download and use their programs. On the one hand, "open source" examples such as the Linux operating system have clearly provided U.S. consumers and businesses with a less-expensive, more robust, more efficient system for running personal computers; on the other hand, the proposed antitrust settlement will allow Microsoft to continue holding documentation, protocols, and APIs in secret from "open source" developers, because Microsoft only needs to release them

to "viable businesses", as defined by the Microsoft corporation.

The fact that this issue is important to Microsoft is best highlighted by the fact that Microsoft Windows Division Vice-President Brian Valentine has written, "Linux is the long-term threat against our core business. Never forget that!" (as reported at <http://www.theregister.co.uk/content/archive/22770.html>).

However, Microsoft will be able to continue holding operating protocols in secret from the "open source" Linux developers, because, according to the proposed settlement's Section J: J. No provision of this Final Judgment shall:

2. Prevent Microsoft from conditioning any license of any API, Documentation or Communications Protocol related to anti-piracy systems, anti-virus technologies, license enforcement mechanisms, authentication/authorization security, or third party intellectual property protection mechanisms of any Microsoft product to any person or entity on the requirement that the licensee: (a) has no history of software counterfeiting or piracy or willful violation of intellectual property rights, (b) has a reasonable business need for the API, Documentation or Communications Protocol for a planned or shipping product, (c) meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business, (d) agrees to submit, at its own expense, any computer program using such APIs, Documentation or Communication Protocols to third-party verification, approved by Microsoft, to test for and ensure verification and compliance with Microsoft specifications for use of the API or interface, which specifications shall be related to proper operation and integrity of the systems and mechanisms identified in this paragraph."

I hope that you will recognize the importance of extending the protections in Section J to charitable and "open source" developers, in addition to those serving as for-profit businesses.

Sincerely,
 Daniel R. Collins
 Watertown, MA 02472
 dcollins@superdan.net
 January 22, 2002

MTC-00015829

From: Dale Dixon
 To: "microsoft.atr(a)usdoj.gov"
 Date: 1/23/02 10:04am
 Subject: Microsoft Settlement

As a Citizen, an Information Services professional and daily user of Microsoft software, I find that the proposed settlement is little more than a slap on the wrist to Microsoft. Microsoft's continuing aggressive tactics have reduced the options available to me, and has hurt me as a consumer. Substantive action needs to be taken now to prevent Microsoft from reducing choice even further and in market areas not currently in its control.

Microsoft has no incentive by competition to create superior products and Microsoft products are commonly known to fraught with security flaws. Because it maintains a monopoly in operating systems and office

software, Microsoft can impose licensing fees and restrictions that cost consumers more than would be acceptable if these markets were truly open. I do not support a breakup of Microsoft, but the remedies proposed are not in proportion to the harmful acts that Microsoft has committed.

Thank you,
Dale L. Dixon
Manager of Computer Operations
VeenendaalCave, Inc.
1275 Peachtree Street N.E.
Suite 400
Atlanta, Georgia 30309
404.881.1811 ext.25
www.vcave.com

MTC-00015830

From: brian washburn
To: Microsoft ATR
Date: 1/23/02 10:10am
Subject: Microsoft settlement
To Whom It May Concern:

I am a U.S. Citizen and have been a microcomputer enthusiast since the end of the 1970s; since 1991, I have been employed as a writer, editor and industry analyst in the high-tech field.

Over the years, I've observed Microsoft use its market share in computer operating systems as a lever, systematically driving companies that were in its expansionist path out of business. I was encouraged that the Findings of Fact in this most recent Microsoft antitrust case uncovered some of these illegal practices. However, I believe the remedy proposed between the Dept. of Justice and Microsoft is grossly inadequate, and will be ineffectual in preventing the company from continuing its past conduct.

If an effective remedy is not reached in this trial, based on Microsoft's past demonstrated behavior, it will all go back to the courts again in the future. Many more years and taxpayer dollars will need to be spent the next time around to put a more effective remedy into place. In those years, based on Microsoft's past demonstrated behavior, the computer industry will be subject to the company's monopoly hammer. Meanwhile, the potential damage the company can cause by using its operating system monopoly to destroy competition and build monopolies in other markets is immeasurable. I do not own stock or derive an income from computer software companies, whether Microsoft or competitors to Microsoft. I am writing this as a consumer who feels he has been harmed by Microsoft's business practices, and who has grave reservations about the future of consumer choice and the future vitality of the American high-tech economy under an inadequate settlement.

Sincerely,
Brian Washburn
151 Ridge Avenue
Newton, MA 02459
Tel. 617 965 6071
Fax. 617 965 1019
E-mail: bsw@theworld.com

MTC-00015831

From: Seth Heidkamp
To: Microsoft ATR
Date: 1/23/02 10:10am
Subject: Microsoft Settlement

Dear Sir or Madam,

I am writing to share my views on the Microsoft Antitrust settlement. The government has rules that they were a monopoly and acted illegally, and the proposed settlement is a joke. First, there is no way to enforce any of the agreements; the penalty for non-compliance is an extended oversight period. This is like giving a convict parole, but if he doesn't meet the conditions (doesn't show up/consorts with known felons/etc) he just gets a longer parole. Second, Microsofts proposal to pay their fine with software to public schools is also ridiculous. They will be giving away a product at minimal cost to them (assuming that these schools would not have been able to afford the Windows software, Microsoft essentially pays for the CD, a cost of about \$5 for an \$800 software package) while getting credit at the monopoly-inflated rates for their donations, while also further increasing their monopoly in one of the few marketplaces they haven't saturated.

I think a more appropriate solution is to open up the API's to developers, the desktop to OEM's and distributors, and have the penalty for non-compliance or further illegal business practices be a breakup of the company.

Seth Heidkamp
Philadelphia, PA

MTC-00015832

From: Chad Eby
To: Microsoft ATR
Date: 1/23/02 10:09am
Subject: Microsoft Settlement
Hello!

As a concerned end-user, I would like to state my belief that the proposed final judgement in United States v. Microsoft is flawed and inadequate in its current form. I am especially distressed that the proposed decision fails to prohibit anti-competitive license terms currently used by Microsoft. The continued prohibition in EULAs and other licenses against open source applications running on Windows platforms, as well as restrictive licensing terms designed to prevent Windows applications from running on competing operating systems is simply unacceptable. For genuine competition to occur, interoperability must be allowed.

Sincerely,
Chad Eby
2531 W Katella Ln
Springfield, MO 65807

MTC-00015833

From: Jim Phillips
To: Microsoft ATR
Date: 1/23/02 10:09am
Subject: Microsoft Settlement

I wish to comment on the proposed Microsoft settlement. I am opposed to the proposed settlement because it fails to effectively prohibit a variety of anticompetitive practices Microsoft has historically employed to propagate its illegal and damaging monopoly, and because it lacks an effective enforcement mechanism. The only effective solution is to break Microsoft into several corporations, separating the OS, internet, desktop, and

entertainment application divisions and prohibiting collaboration among them. This alone would allow fair and effective competition.

James Phillips
405 W. Stange Ave.
Champaign, IL 61820

MTC-00015834

From: Sam Denton
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:09am
Subject: Microsoft Settlement

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement.

It is my opinion that the Proposed Final Judgment fails to prohibit anticompetitive practices towards OEMs.

Section III.A.2. allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

Section III.B. requires Microsoft to license Windows on uniform terms and at published prices to the top 20 OEMs, but says nothing about smaller OEMs. This leaves Microsoft free to retaliate against smaller OEMs, including important regional "white box" OEMs, if they offer competing products.

Section III.B. also allows Microsoft to offer unspecified Market Development Allowances—in effect, discounts—to OEMs. For instance, Microsoft could offer discounts on Windows to OEMs based on the number of copies of Microsoft Office or Pocket PC systems sold by that OEM. In effect, this allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas, such as office software or ARM-compatible operating systems.

By allowing these practices, the PFJ is encouraging Microsoft to extend its monopoly in Intel-compatible operating systems, and to leverage it into new areas.

Sam Denton
WAN Technologies, INC.
(314) 428-0888/(800) 926-7771
www.wantec.com
Data & Telecommunications Solutions
provider
www.wancare.com
Network Management Solutions

MTC-00015835

From: akornick@whg-
florida.dyndns.org@inetgw
To: Microsoft ATR
Date: 1/23/02 10:10am
Subject: Microsoft Settlement

To Whom It May Concern,
I have cited below numerous problems with the proposed Microsoft settlement below. Please do not allow Microsoft to continue to enjoy an illegal monopoly by slapping them on the wrist like the last US DOJ/Microsoft agreement.

Sincerely,
Adam M. Kornick

Here is a very rough summary which paraphrases provisions III.A through III.J and VI. of the Proposed Final Judgement to give some idea of how the PFJ proposes to answer those questions:

PFJ Section III: Prohibited Conduct: 1. Microsoft will not retaliate against OEMs

who support competitors to Windows, Internet Explorer (IE), Microsoft Java (MJ), Windows Media Player (WMP), Windows Messenger (WM), or Outlook Express (OE). 2. Microsoft will publish the wholesale prices it charges the top 20 OEMs (Original Equipment Manufacturers) for windows. 3. Microsoft will allow OEMs to customize the Windows menus, desktop, and boot sequence, and will allow the use of non-Microsoft bootloaders. 4. Microsoft will publish on MSDN (the Microsoft Developer Network) the APIs used by IE, MJ, WMP, WM, and OE, so that competing web browsers, media players, and email clients can plug in properly to Windows. 5. Microsoft will license on reasonable terms the network protocols needed for non-Microsoft applications or operating systems to connect to Windows servers. 6. Microsoft will not force business partners to refrain from supporting competitors to Windows, IE, MJ, WMP, WM, or OE. 7. (Roughly same as F above.) 8. Microsoft will let users and OEMs remove icons for IE, MJ, WMP, WM, and OE, and let them designate competing products to be used instead. 9. Microsoft will license on reasonable terms any intellectual property rights needed for other companies to take advantage of the terms of this settlement. 10. This agreement lets Microsoft keep secret anything having to do with security or copy protection.

PFJ Section VI: Definitions: 1. "API" (Application Programming Interface) is defined as only the interfaces between Microsoft Middleware and Microsoft Windows, excluding Windows APIs used by other application programs. 2. "Microsoft Middleware Product" is defined as Internet Explorer (IE), Microsoft Java (MJ), Windows Media Player (WMP), Windows Messenger (WM), and Outlook Express (OE). 3. "Windows Operating System Product" is defined as Windows 2000 Professional, Windows XP Home, and Windows XP Professional.

The agreement can be summed up in one breath as follows: Microsoft agrees to compete somewhat less vigorously, and to let competitors interoperate with Windows in exchange for royalty payments.

Considering all of the above, one should read the detailed terms of the Proposed Final Judgment, and ask one final question:

Is the Proposed Final Judgment in the public interest? In the sections below, I'll look in more detail at how the PFJ deals with the above questions. How should terms like "API", "Middleware, and "Windows OS" be defined? The definitions of various terms in Part VI of the PFJ differ from the definitions in the Findings of Fact and in common usage, apparently to Microsoft's benefit. Here are some examples: Definition A: "API" The Findings of Fact (? 2) define "API" to mean the interfaces between application programs and the operating system. However, the PFJ's Definition A defines it to mean only the interfaces between Microsoft Middleware and Microsoft Windows, excluding Windows APIs used by other application programs. For instance, the PFJ's definition of API might omit important APIs such as the Microsoft Installer APIs which are used by installer programs to install software on Windows.

Definition J: "Microsoft Middleware" The Findings of Fact (? 28) define "middleware" to mean application software that itself presents a set of APIs which allow users to write new applications without reference to the underlying operating system. Definition J defines it in a much more restrictive way, and allows Microsoft to exclude any software from being covered by the definition in two ways: 1. By changing product version numbers. For example, if the next version of Internet Explorer were named "7.0.0" instead of "7" or "7.0", it would not be deemed Microsoft Middleware by the PFJ. 2. By changing how Microsoft distributes Windows or its middleware. For example, if Microsoft introduced a version of Windows which was only available via the Windows Update service, then nothing in that version of Windows would be considered Microsoft Middleware, regardless of whether Microsoft added it initially or in a later update. This is analogous to the loophole in the 1995 consent decree that allowed Microsoft to bundle its browser by integrating it into the operating system. Definition K: "Microsoft Middleware Product" Definition K defines "Microsoft Middleware Product" to mean essentially Internet Explorer (IE), Microsoft Java (MJ), Windows Media Player (WMP), Windows Messenger (WM), and Outlook Express (OE). The inclusion of Microsoft Java and not Microsoft.NET is questionable; Microsoft has essentially designated Microsoft.NET and C# as the successors to Java, so on that basis one would expect Microsoft.NET to be included in the definition.

The inclusion of Outlook Express and not Outlook is questionable, as Outlook (different and more powerful than Outlook Express) is a more important product in business, and fits the definition of middleware better than Outlook Express.

The exclusion of Microsoft Office is questionable, as many components of Microsoft Office fit the Finding of Fact's definition of middleware. For instance, there is an active market in software written to run on top of Microsoft Outlook and Microsoft Word, and many applications are developed for Microsoft Access by people who have no knowledge of Windows APIs. Definition U: "Windows Operating System Product" Microsoft's monopoly is on Intel-compatible operating systems. Yet the PFJ in definition U defines a "Windows Operating System Product" to mean only Windows 2000 Professional, Windows XP Home, Windows XP Professional, and their successors. This purposely excludes the Intel-compatible operating systems Windows XP Tablet PC Edition and Windows CE; many applications written to the Win32 APIs can run unchanged on Windows 2000, Windows XP Tablet PC Edition, and Windows CE, and with minor recompilation, can also be run on Pocket PC. Microsoft even proclaims at www.microsoft.com/windowsxp/tabletpc/tabletpcanda.asp:

"The Tablet PC is the next-generation mobile business PC, and it will be available from leading computer makers in the second half of 2002. The Tablet PC runs the Microsoft Windows XP Tablet PC Edition and features the capabilities of current

business laptops, including attached or detachable keyboards and the ability to run Windows-based applications." and Pocket PC: Powered by Windows Microsoft is clearly pushing Windows XP Tablet PC Edition and Pocket PC in places (e.g. portable computers used by businessmen) currently served by Windows XP Home Edition, and thus appears to be trying to evade the Final Judgment's provisions. This is but one example of how Microsoft can evade the provisions of the Final Judgment by shifting its efforts away from the Operating Systems listed in Definition U and towards Windows XP Tablet Edition, Windows CE, Pocket PC, X-Box, or some other Microsoft Operating System that can run Windows applications. How should the Final Judgment erode the Applications Barrier to Entry? The PFJ tries to erode the Applications Barrier to Entry in two ways:

1. By forbidding retaliation against OEMs, ISVs, and IHVs who support or develop alternatives to Windows.

2. By taking various measures to ensure that Windows allows the use of non-Microsoft middleware.

A third option not provided by the PFJ would be to make sure that Microsoft raises no artificial barriers against non-Microsoft operating systems which implement the APIs needed to run application programs written for Windows. The Findings of Fact (?52) considered the possibility that competing operating systems could implement the Windows APIs and thereby directly run software written for Windows as a way of circumventing the Applications Barrier to Entry. This is in fact the route being taken by the Linux operating system, which includes middleware (named WINE) that can run many Windows programs.

By not providing some aid for ISVs engaged in making Windows-compatible operating systems, the PFJ is missing a key opportunity to encourage competition in the Intel-compatible operating system market. Worse yet, the PFJ itself, in sections III.D. and III.E., restricts information released by those sections to be used "for the sole purpose of interoperating with a Windows Operating System Product". This prohibits ISVs from using the information for the purpose of writing operating systems that interoperate with Windows programs. How should the Final Judgment be enforced? The PFJ as currently written appears to lack an effective enforcement mechanism. It does provide for the creation of a Technical Committee with investigative powers, but appears to leave all actual enforcement to the legal system. What information needs to be released to ISVs to encourage competition, and under what terms?

The PFJ provides for increased disclosure of technical information to ISVs, but these provisions are flawed in several ways:

1. The PFJ fails to require advance notice of technical requirements Section III.H.3. of the PFJ requires vendors of competing middleware to meet "reasonable technical requirements" seven months before new releases of Windows, yet it does not require Microsoft to disclose those requirements in advance. This allows Microsoft to bypass all competing middleware simply by changing

the requirements shortly before the deadline, and not informing ISVs.

2. API documentation is released too late to help ISVs Section III.D. of the PFJ requires Microsoft to release via MSDN or similar means the documentation for the APIs used by Microsoft Middleware Products to interoperate with Windows; release would be required at the time of the final beta test of the covered middleware, and whenever a new version of Windows is sent to 150,000 beta testers. But this information would almost certainly not be released in time for competing middleware vendors to adapt their products to meet the requirements of section III.H.3, which states that competing middleware can be locked out if it fails to meet unspecified technical requirements seven months before the final beta test of a new version of Windows.

3. Many important APIs would remain undocumented The PFJ's overly narrow definitions of "Microsoft Middleware Product" and "API" means that Section III.D.'s requirement to release information about Windows interfaces would not cover many important interfaces.

4. Unreasonable Restrictions are Placed on the Use of the Released Documentation ISVs writing competing operating systems as outlined in Findings of Fact (?52) sometimes have difficulty understanding various undocumented Windows APIs. The information released under section III.D. of the PFJ would aid those ISVs—except that the PFJ disallows this use of the information. Worse yet, to avoid running afoul of the PFJ, ISVs might need to divide up their engineers into two groups: those who refer to MSDN and work on Windows-only applications; and those who cannot refer to MSDN because they work on applications which also run on non-Microsoft operating systems. This would constitute retaliation against ISVs who support competing operating systems.

5. File Formats Remain Undocumented No part of the PFJ obligates Microsoft to release any information about file formats, even though undocumented Microsoft file formats form part of the Applications Barrier to Entry (see "Findings of Fact" ?20 and ? 39).

6. Patents covering the Windows APIs remain undisclosed Section III.I of the PFJ requires Microsoft to offer to license certain intellectual property rights, but it does nothing to require Microsoft to clearly announce which of its many software patents protect the Windows APIs (perhaps in the style proposed by the W3C; see <http://www.w3.org/TR/2001/WD-patent-policy-20010816/#secdisclosure>). This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users, as illustrated by this report from Codeweavers, Inc.: When selecting a method of porting a major application to Linux, one prospect of mine was comparing Wine [a competing implementation of some of the Windows APIs] and a toolkit called 'MainWin'. MainWin is made by Mainsoft, and Mainsoft licenses its software from Microsoft. However, this customer elected to go with the Mainsoft option instead.

I was told that one of the key decision making factors was that Mainsoft

representatives had stated that Microsoft had certain critical patents that Wine was violating. My customer could not risk crossing Microsoft, and declined to use Wine. I didn't even have a chance to determine which patents were supposedly violated; nor to disprove the validity of this claim. The PFJ, by allowing this unclear legal situation to continue, is inhibiting the market acceptance of competing operating systems. Which practices towards OEMs should be prohibited? The PFJ prohibits certain behaviors by Microsoft towards OEMs, but curiously allows the following exclusionary practices:

Section III.A.2. allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system. Section III.B. requires Microsoft to license Windows on uniform terms and at published prices to the top 20 OEMs, but says nothing about smaller OEMs. This leaves Microsoft free to retaliate against smaller OEMs, including important regional 'white box' OEMs, if they offer competing products.

Section III.B. also allows Microsoft to offer unspecified Market Development Allowances—in effect, discounts—to OEMs. For instance, Microsoft could offer discounts on Windows to OEMs based on the number of copies of Microsoft Office or Pocket PC systems sold by that OEM. In effect, this allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas, such as office software or ARM-compatible operating systems.

By allowing these practices, the PFJ is encouraging Microsoft to extend its monopoly in Intel-compatible operating systems, and to leverage it into new areas. Which practices towards ISVs should be prohibited?

Sections III.F. and III.G. of the PFJ prohibit certain exclusionary licensing practices by Microsoft towards ISVs.

However, Microsoft uses other exclusionary licensing practices, none of which are mentioned in the PFJ. Several of Microsoft's products' licenses prohibit the products' use with popular non-Microsoft middleware and operating systems. Two examples are given below.

1. Microsoft discriminates against ISVs who ship Open Source applications The Microsoft Windows Media Encoder 7.1 SDK EULA states ... you shall not distribute the REDISTRIBUTABLE COMPONENT in conjunction with any Publicly Available Software. "Publicly Available Software" means each of (i) any software that contains, or is derived in any manner (in whole or in part) from, any software that is distributed as free software, open source software (e.g. Linux) or similar licensing or distribution models ... Publicly Available Software includes, without limitation, software licensed or distributed under any of the following licenses or distribution models, or licenses or distribution models similar to any of the following: GNU's General Public License (GPL) or Lesser/Library GPL (LGPL); The Artistic License (e.g., PERL); the Mozilla Public License; the Netscape Public License; the Sun Community Source License (SCSL);

... Many Windows APIs, including Media Encoder, are shipped by Microsoft as add-on SDKs with associated redistributable components. Applications that wish to use them must include the add-ons, even though they might later become a standard part of Windows. Microsoft often provides those SDKs under End User License Agreements (EULAs) prohibiting their use with Open Source applications. This harms ISVs who choose to distribute their applications under Open Source licenses; they must hope that the enduser has a sufficiently up-to-date version of the addon API installed, which is often not the case.

Applications potentially harmed by this kind of EULA include the competing middleware product Netscape 6 and the competing office suite StarOffice; these EULAs thus can cause support problems for, and discourage the use of, competing middleware and office suites. Additionally, since Open Source applications tend to also run on non-Microsoft operating systems, any resulting loss of market share by Open Source applications indirectly harms competing operating systems.

2. Microsoft discriminates against ISVs who target Windows-compatible competing Operating Systems The Microsoft Platform SDK, together with Microsoft Visual C++, is the primary toolkit used by ISVs to create Windows-compatible applications. The Microsoft Platform SDK EULA says: "Distribution Terms. You may reproduce and distribute ... the Redistributable Components... provided that (a) you distribute the Redistributable Components only in conjunction with and as a part of your Application solely for use with a Microsoft Operating System Product..." This makes it illegal to run many programs built with Visual C++ on Windows-compatible competing operating systems.

By allowing these exclusionary behaviors, the PFJ is contributing to the Applications Barrier to Entry faced by competing operating systems. Which practices towards large users should be prohibited? The PFJ places restrictions on how Microsoft licenses its products to OEMs, but not on how it licenses products to large users such as corporations, universities, or state and local governments, collectively referred to as 'enterprises'. Yet enterprise license agreements often resemble the per-processor licenses which were prohibited by the 1994 consent decree in the earlier US v. Microsoft antitrust case, in that a fee is charged for each desktop or portable computer which could run a Microsoft operating system, regardless of whether any Microsoft software is actually installed on the affected computer. These agreements are anticompetitive because they remove any financial incentive for individuals or departments to run non-Microsoft software. Which practices towards end users should be prohibited? Microsoft has used both restrictive licenses and intentional incompatibilities to discourage users from running Windows applications on Windows-compatible competing operating systems. Two examples are given below.

1. Microsoft uses license terms which prohibit the use of Windows-compatible competing operating systems MSNBC (a

subsidiary of Microsoft) offers software called NewsAlert. Its EULA states "MSNBC Interactive grants you the right to install and use copies of the SOFTWARE PRODUCT on your computers running validly licensed copies of the operating system for which the SOFTWARE PRODUCT was designed [e.g., Microsoft Windows(r) 95; Microsoft Windows NT(r), Microsoft Windows 3.x, Macintosh, etc.] "Only the Windows version appears to be available for download. Users who run competing operating systems (such as Linux) which can run some Windows programs might wish to run the Windows version of NewsAlert, but the EULA prohibits this.

MSNBC has a valid interest in prohibiting use of pirated copies of operating systems, but much narrower language could achieve the same protective effect with less anticompetitive impact. For instance, "MSNBC Interactive grants you the right to install and use copies of the SOFTWARE PRODUCT on your computers running validly licensed copies of Microsoft Windows or compatible operating system."

2. Microsoft created intentional incompatibilities in Windows 3.1 to discourage the use of non-Microsoft operating systems. An episode from the 1996 *Caldera v. Microsoft* antitrust lawsuit illustrates how Microsoft has used technical means anticompetitively. Microsoft's original operating system was called MS-DOS. Programs used the DOS API to call up the services of the operating system. Digital Research offered a competing operating system, DR-DOS, that also implemented the DOS API, and could run programs written for MS-DOS. Windows 3.1 and earlier were not operating systems per se, but rather middleware that used the DOS API to interoperate with the operating system. Microsoft was concerned with the competitive threat posed by DR-DOS, and added code to beta copies of Windows 3.1 so it would display spurious and misleading error messages when run on DR-DOS. Digital Research's successor company, Caldera, brought a private antitrust suit against Microsoft in 1996. (See the original complaint, and Caldera's consolidated response to Microsoft's motions for partial summary judgment.) The judge in the case ruled that "Caldera has presented sufficient evidence that the incompatibilities alleged were part of an anticompetitive scheme by Microsoft." That case was settled out of court in 1999, and no court has fully explored the alleged conduct. The concern here is that, as competing operating systems emerge which are able to run Windows applications, Microsoft might try to sabotage Windows applications, middleware, and development tools so that they cannot run on non-Microsoft operating systems, just as they did earlier with Windows 3.1.

The PFJ as currently written does nothing to prohibit these kinds of restrictive licenses and intentional incompatibilities, and thus encourages Microsoft to use these techniques to enhance the Applications Barrier to Entry, and harming those consumers who use non-Microsoft operating systems and wish to use Microsoft applications software. Is the Proposed Final Judgement in the public

interest? The problems identified above with the Proposed Final Judgment can be summarized as follows:

- * The PFJ doesn't take into account Windows-compatible competing operating systems

- * Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry.

- * The PFJ Contains Misleading and Overly Narrow Definitions and Provisions

- * The PFJ supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered.

- * The PFJ supposedly allows users to replace Microsoft Middleware with competing middleware, but it defines "Microsoft Middleware" so narrowly that the next version of Windows might not be covered at all.

- * The PFJ allows users to replace Microsoft Java with a competitor's product—but Microsoft is replacing Java with .NET. The PFJ should therefore allow users to replace Microsoft.NET with competing middleware.

- * The PFJ supposedly applies to "Windows", but it defines that term so narrowly that it doesn't cover Windows XP Tablet PC Edition, Windows CE, Pocket PC, or the X-Box—operating systems that all use the Win32 API and are advertised as being "Windows Powered".

- * The PFJ fails to require advance notice of technical requirements, allowing Microsoft to bypass all competing middleware simply by changing the requirements shortly before the deadline, and not informing ISVs.

- * The PFJ requires Microsoft to release API documentation to ISVs so they can create compatible middleware—but only after the deadline for the ISVs to demonstrate that their middleware is compatible.

- * The PFJ requires Microsoft to release API documentation—but prohibits competitors from using this documentation to help make their operating systems compatible with Windows.

- * The PFJ does not require Microsoft to release documentation about the format of Microsoft Office documents.

- * The PFJ does not require Microsoft to list which software patents protect the Windows APIs. This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users.

- * The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft

- * Microsoft currently uses restrictive licensing terms to keep Open Source apps from running on Windows.

- * Microsoft currently uses restrictive licensing terms to keep Windows apps from running on competing operating systems.

- * Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which could run a Microsoft operating system—even for computers running Linux. (Similar licenses to OEMs were once banned by the 1994 consent decree.)

- * The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft

- * Microsoft has in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems.

- * The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs

- * The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

- * The PFJ allows Microsoft to discriminate against small OEMs—including regional "white box" OEMs which are historically the most willing to install competing operating systems—who ship competing software.

- * The PFJ allows Microsoft to offer discounts on Windows (MI)As to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas.

- * The PFJ as currently written appears to lack an effective enforcement mechanism. Considering these problems, one must conclude that the Proposed Final Judgment as written allows and encourages significant anticompetitive practices to continue, and would delay the emergence of competing Windows-compatible operating systems. Therefore, the Proposed Final Judgment is not in the public interest, and should not be adopted without addressing these issues.

Strengthening the PFJ

The above discussion shows that the PFJ does not satisfy the Court of Appeals' mandate. Some of the plaintiff States have proposed an alternate settlement which fixes many of the problems identified above. The States' proposal is quite different from the PFJ as a whole, but it contains many elements which are similar to elements of the PFJ, with small yet crucial changes. In the sections below, I suggest amendments to the PFJ that attempt to resolve some of the demonstrated problems (time pressure has prevented a more complete list of amendments). When discussing amendments, PFJ text is shown indented; removed text is shown in [bracketed ~~strikeout~~], and new text in bold italics. Correcting the PFJ's definitions Definition U should be amended to read U. "Windows Operating System Product" means [the software code (as opposed to source code) distributed commercially by Microsoft for use with Personal Computers as Windows 2000 Professional, Windows XP Home, Windows XP Professional, and successors to the foregoing, including the Personal Computer versions of the products currently code named "Longhorn" and "Blackcomb" and their successors, including upgrades, bug fixes, service packs, etc. The software code that comprises a Windows Operating System Product shall be determined by Microsoft in its sole discretion.] any software or firmware code distributed commercially by Microsoft that is capable of executing any subset of the Win32 APIs, including without exclusion Windows 2000 Professional, Windows XP Home, Windows XP Professional, Windows XP Tablet PC Edition, Windows CE,

PocketPC 2002, and successors to the foregoing, including the products currently code named "Longhorn" and "Blackcomb" and their successors, including upgrades, bug fixes, service packs, etc. Release of information to ISVs TBD Section E should be amended to read ... Microsoft shall disclose to ISVs, IHVs, IAPs, ICPs, and OEMs, [for the sole purpose of interoperating with a Windows Operating System Product,] for the purpose of interoperating with a Windows Operating System Product or with application software written for Windows, via the Microsoft Developer Network ("MSDN") or similar mechanisms, the APIs and related Documentation that are used by Microsoft Middleware to interoperate with a Windows Operating System Product Prohibition of More Practices Toward OEMs TBD

?III. A. 2. of the Proposed Final Judgment should be amended to read

2. shipping a Personal Computer that (a) includes both a Windows Operating System Product and a non-Microsoft Operating System, or (b) will boot with more than one Operating System, or (c) includes a non-Microsoft Operating System but no Windows Operating System Product; or ... Prohibition of More Practices Toward ISVs TBD Prohibition of Certain Practices Toward End Users TBD

Summary

This document is not yet complete, but it does demonstrate that there are so many problems with the PFJ that it is not in the public interest. It also illustrates how one might try to fix some of these problems.

MTC-00015836

From: Gabriel Gerhardsson
To: Microsoft ATR
Date: 1/23/02 10:06am
Subject: Microsoft Settlement

Hi

I'm not a citizen of the USA. But I feel that in the global society we live in today this settlement affects more than the USA, indeed, I believe it affects the whole world!

I strongly urge you to not accept the settlement in its current form. It is full of legal "loopholes" and vague language that severely limits the effectiveness in many areas.

E.g. Microsoft should be required to disclose ALL of its (current and future) APIs (Application Protocol Interfaces) and network protocols. It should be released in a totally open way that doesn't set any limits on who's allowed to view, use and distribute the information. Be that a private person or a company, everyone should have full access to the information.

This is a crucial weakness in the current settlement. I truly hope that you take my views in consideration.

Sincerely

Gabriel Gerhardsson, Sweden

MTC-00015837

From: Tom B
To: Microsoft ATR
Date: 1/23/02 10:11 am
Subject: Microsoft Settlement (Opposition To)
To Whom It May Concern:

I would like to express my opposition to the proposed settlement in the Microsoft antitrust trial. The proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future. Microsoft went into this case sure that it could buy its way out. Their cocky behavior preceding, during and after the trial only proved that they did not take the situation seriously. At the time I thought this was an egregious error on their part. Then proposed settlement was released and I, and many like me, were stunned.

Any settlement needs to have provisions to deal effectively with Microsoft's "Embrace and Extend" attitude towards its competition. In order to continue to flourish, the computer world needs more diversity and more interoperability. That second word, "interoperability" is crucial. Microsoft could work with its peers in the industry to make its products work together with new innovations and break-throughs. Instead, Microsoft prefers to crush competitors under the weight of its monopolies in Operating Systems and Office software.

As a developer, I work with Microsoft software consistently and I am aware of the contributions they have made to the industry. That being said, they do not deserve a break on this settlement. Their practices stifle the industry, leave potential innovators afraid to compete, and lock out those Microsoft doesn't favor.

While the Court's desire that a settlement be reached is well-intentioned, this settlement seems content to leave Microsoft as tyrant of the software world. It is unjust and will encourage the sort of behavior that brought this trial about. To encourage another explosion of innovation, Microsoft's monopolistic behavior must be regulated and the company made answerable for its actions.

Sincerely,

Thomas Bellin
Suffern, NY 10901

MTC-00015838

From: Coons, Chip
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:11am
Subject: Microsoft Settlement

Any settlement with a company that has :
* Stolen software from competitors,
* Denied users the basic freedom to choose which software they are allowed to use,
* Destroyed competition by implementing a continuous upgrade/change file format practice to eliminate any hopes of compatibility, and
* Used their monopoly position to eliminate market pressures (decreasing costs to consumers through competition) should not get off with a slap on the wrist.

Either their behavior was wrong (which the courts have found) and they should be punished, or drop the case and stop wasting my tax dollars, since the government will probably need them to upgrade future Microsoft products. Any settlement that allows the company to continue with their predatory practices is unacceptable, and as currently proposed, there are no real, enforceable restraints on Microsoft's current and future behavior. Should this settlement

go through, please launch an immediate investigation for fraud and/or undue influence, since someone besides the consumer is benefiting.

Chip Coons

MTC-00015839

From: Jacobs Robert
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:10am
Subject: Microsoft Settlement

Sir or Madam,

I would just like to add my voice to those who object to the Microsoft Antitrust Case proposed settlement. This settlement does nothing to punish Microsoft for their anti-competitive practices. Placing a three-man oversight committee on Microsoft's premises (of which one member is selected by Microsoft and the second member is "approved" by Microsoft is in no way "punishment". How can we this committee rightly be called an "oversight committee" when Microsoft is likely to select members who are disposed to their position?)

Where are the penalties levied against Microsoft for ruthlessly bullying their opponents out of the market? Why isn't Microsoft being assessed fines from their ill-gotten gains? How is Microsoft being punished for the practices that have gotten them where they are today? If you do not punish them financially. When a child steals from the cookie jar and you tell the child "That was wrong, don't do it again...and I'll be watching you", but you don't take back the cookie, did the child learn anything? The child has not been punished and will, likely, attempt the same maneuver again as soon as your back is turned.

For a moment, I was encouraged to see that Microsoft is required to be more "open" with their specifications (application program interface (API))—until I read further into the settlement only to see that Microsoft could determine which APIs were critical to their business and should not be released. Have we gotten anywhere with them, then?

Microsoft deserves its bad reputation among computer industry professionals who stand for progress and innovation. Microsoft does not innovate Microsoft stamps out competition by offering their products "bundled" or "integrated" with their operating system and then convincing hardware manufacturers to include their products.

Robert A. Jacobs
Computer Analyst
Northrop Grumman Information Technology
(402) 293-3943 jacobs—robert@prc.com
"...security experts don't pick on Microsoft because we have some fundamental dislike for the company. Indeed, Microsoft's poor products are one of the reasons we're in business."

— Bruce Schneier, Founder and CTO
Counterpane Internet Security, Inc.

MTC-00015840

From: Dennis Heltzel
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:10am
Subject: Microsoft Settlement
Dennis Heltzel, MBA

Senior Database Administrator
Adolor Corporation
620 Pennsylvania Drive
Exton, PA 19341-1127

I am writing to express my dissatisfaction with the proposed Microsoft Settlement. I am particularly concerned that while the settlement claims to require the publishing of windows API's, it defines and restricts this in a way that Microsoft can use to avoid complying with the spirit of the settlement. If anyone supposes that Microsoft will comply with the spirit of the settlement, they should examine Microsoft's history regarding previous government settlements, where they have consistently pushed the limits of what they themselves agreed to. In fact, that's mostly why they are back here in court now.

I urge you to change the settlement to be fairer to the customers and competitors of Microsoft. This is likely your only opportunity to do so. The amount of effort that the government must expend to bring cases like this to a successful conclusion is enormous and I'm sure any future DOJ will think twice before taking on the Microsoft monopoly. But since you already have the decree and judgments, lets finish the job and make the settlement one that is good for the free market of America.

Thanks you for letting me express my opinion on this matter.

Dennis Heltzel

MTC-00015841

From: Scott "dolomite" Leonard
To: Microsoft ATR
Date: 1/23/02 10:11am
Subject: Microsoft (Canadian perspetive)

While I am a Canadian citizen, after September 11, I feel closer to the US than I ever have, which is why I am sending you this note. In this time of co- patriotism, we must embrace democracy and we must propound quality and we must disdain selfish interests. There must be a passion to work together as countries, and as people. Working together is not something Microsoft does well. They don't behave well with other companies. You should force them to. Microsoft products are getting worse as time goes on. Right now, for example, the end user has no choice but to use a Microsoft product if they own a PC because there simply isn't another operating system good enough to use other than the Microsoft products. When something goes wrong with a Microsoft product, the consumer has no other choice but to accept it and wait for a patch because they can not return it, and even if they could, they would have nothing to work on in the meantime because the damage is done.

Any other product I buy must work or I can return it for a full refund and buy something else like it. This is not the case with Microsoft. Stiffer penalties against Microsoft might not be enough now that the damage is done.

Maybe Microsoft could provide awards to businesses who want to compete with them?

Maybe the state needs to offer some business incentives to companies who want to compete with Microsoft. They can get the money from Microsoft for that. :)

Scott Leonard
Kingston, Ontario

Canada
PS: Would you buy a car from Microsoft if they made one?

MTC-00015842

From: Chuck Hinson
To: Microsoft ATR
Date: 1/23/02 10:10am
Subject: Microsoft Settlement
To Whom It May Concern:

I would like to state that I am opposed to the settlement that has been proposed in the Microsoft antitrust trial. I do not feel that the settlement even begins to address illegal behaviors found by the Court, and leaves Microsoft more or less free to continue operating as they always have. Furthermore, I am upset that while Microsoft has been found to be a monopoly—in violation of law—the settlement provides no real punishments. Simply forbidding the repetition of previously committed illegal acts is in no way a punishment for the illegal activity. Without some sort of redress, Microsoft will have been allowed to get away with and profit from their illegal activities.

Sincerely

Charles Hinson
King Of Prussia, PA 19406

MTC-00015843

From: Timothy Wall
To: Microsoft ATR
Date: 1/23/02 10:11am
Subject: Microsoft Settlement

As a software engineer with a degree from MIT and over 20 years experience developing software for Unix, Macintosh, Windows, and Linux, I'd like to comment on the Proposed Final Judgment in United States vs Microsoft. I think the proposed settlement is a bad idea. It does nothing to punish the company for its proven illegal practices, nor does it do anything to effectively prevent the company from continuing those same practices. The company has proven that it has no respect for the legal system, nor acceptable business practices, except what it can buy or subterfuge. The proposed final judgment allows the company's exclusionary tactics to continue, with no direct measures included to overcome the barriers to entry that the company has established.

I am ashamed of a legal system that can be bought or persuaded of anything easily by a company that has proven itself willing and capable of falsifying evidence in a court of law. I personally have been affected by this company's monopolistic practices. No innovation is allowed without the company's consent. I have seen excellent research stamped out or bought by the company and shelved, simply because the monopoly did not see it fit with its business interests.

I and my developers are daily forced to work with arcane and poorly designed APIs (methods of writing software), because the monopoly has forced all others out of the market. If the company absolutely *must* be left with its monopoly, then the remedy absolutely *must* address the issues of permitting software developers to have sufficient leverage to change the system in which they are forced to work. There is no current such system in place. If I want to see a bug fixed in the company's operating

system, I have to pay simply for the privilege of telling them about it, let alone have it fixed.

The company has been trying for years to leverage its monopoly into other spheres of influence. One with which I am intimately familiar is embedded systems, where the company has thus far failed to gain any significant foothold, even in the face of their claimed "innovations" in the field. Why? Because embedded developers have significant choice, and the company has no compelling offering in the face of those choices. Its claims of "innovation" fall flat when there is something to compare to, if there is the choice of an alternative. Any other company would have long since have run out of money, trying to sell an unwanted product into such a space; but this one, primarily because the embedded space is such a big market, will keep trying. Even given this lack of success, the company claims "thousands of registered developers", which, reading between the lines, means someone downloaded their beta evaluation software. I provide this example to show that the company's supposed "innovations" and successes in other markets cannot be taken at face value. Any claims of the company need to be closely examined and objectively proven.

Timothy Wall
Director of Software Development
Oculus Technologies, Inc.

MTC-00015844

From: jon herman
To: Microsoft ATR
Date: 1/23/02 10:12am
Subject: Microsoft Settlement
I am against this settlement
— jon Herman

MTC-00015845

From: Steven Schuldt
To: "Microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:22am
Subject: Microsoft Settlement
I am in favor of the proposed Microsoft Settlement.
Steven Schuldt

MTC-00015846

From: Williford, Blake
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:14am
Subject: Microsoft Settlement

I am against the settlement. The only way to bring back healthy innovative business into the computer market is to reorganize Microsoft into several smaller companies; and not allowing any person to own stock in more than one of the new companies.

Thank you for your time.

"... An omelette, promised in two minutes, may appear to be progressing nicely. ...when it has not set in two minutes, the customer has two choices — wait or eat it raw. Software customers have ... the same choices." —Frederick P. Brooks, Jr, The Mythical Man-Month

MTC-00015847

From: Christian Borgnaes
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:10am
Subject: Microsoft Settlement

It's ironic that Microsoft was praised for being a fierce competitor as the company grew and now they're reviled for the same practices. The difference is that they've now got a monopoly and like it or not those competitive practices are preventing further competition!

The settlement as proposed simply does not prevent Microsoft from preserving their operating system monopoly and thereby leveraging it to sell their other products—the very definition of anti-competitive practice. Nothing short of unconditional licensing of their source code will prevent this, even with an oversight committee.

One of Microsoft's suggestions was to provide computers for education. This is the seed of a good idea that ultimately will grow to be in their favor: an entire generation raised on their operating systems. If they are to give something to education have it be cash. There's plenty of school districts that are in need of far more essential things than computers. If it must be computers, insist that all Microsoft's expense goes for hardware and have a different operating system installed, like Linux. This would certainly increase competition in the long run.

Christian C Borgns
(314)729-3079

ChristianB@Amdocs.com

"The way ahead intrigues me, from hell to hallelujah."—Corwin of Amber

MTC-00015848

From: Michael Piatek
To: Microsoft ATR
Date: 1/23/02 10:11am
Subject: Microsoft Settlement

As a citizen called to comment on the proposed Microsoft settlement, it is clear to me that the current proposal does not agree with the spirit of antitrust in that it fails to punish Microsoft severely enough for its actions and it fails to set up adequate means to eliminate its exercising of monopoly power in the future.

Michael Piatek

MTC-00015849

From: Kim, Won
To: Microsoft ATR
Date: 1/23/02 10:10am
Subject: Microsoft Settlement

The proposed settlement is farcical and counts as a massive betrayal of the public trust. Microsoft's predatory, anti-competitive business practices should be addressed with much more stringent measures that have some bite—that will make Microsoft's board and executives act with a bit more restraint in the future.

MTC-00015850

From: Jon.Beckett.Schreiber@na.manpower.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:19am
Subject: Microsoft Settlement

I would like to voice my displeasure at the settlement proposed for the Microsoft Antitrust case.

With text that determines the definition of a Windows Operating System Product including the following: "The software code that comprises a Windows Operating System

Product shall be determined by Microsoft in its sole discretion." Indicates that by simply changing the name of a product they could avoid a lot of the restrictions.

Add on Microsoft's tendency to bend ethics in sending support letters from the deceased, I would not be surprised if they would bend words to simply avoid restrictions in the proposed settlement.

Thank You,
Jon Beckett Schreiber
IT Testing Analyst
Manpower

MTC-00015851

From: Johan A. van Zanten
To: Microsoft ATR
Date: 1/23/02 10:12am
Subject: Proposed Settlement Bad Greetings.

I'm submitting my comments per the Tunney Act, regarding the U.S. governments settlement of the Microsoft anti-trust case. I've been a computing professional for over ten years. Back in 1987, Microsoft profited from the sale of decent software (such as Microsoft Word), and consumers of that software generally benefited from Microsoft's existence and business.

Now, with Microsoft's plainly-apparent goal being to establish a monopoly over all computer-related areas of the economy, this is not the case. In many major categories, such as word processors, consumers have fewer practical choices of software now than they did 10 years ago, simply because Microsoft's dominance.

Further, Microsoft modifies their own products in order to force consumers to "upgrade" when such an upgrade does not benefit the consumer. Microsoft is an entirely selfish corporation that is out of control, and the U.S. government is the only entity that can stop it. Microsoft should be broken up in to separate distinct companies that are prohibited from collaborating.

-johan

Johan van Zanten

"And so once again we find that the evil of the past seeps into the present, like salad dressing through cheap waxed paper."

System Wrangler

Tumbleweed Electron Wranglers, Inc.

johan@ewrangers.com

MTC-00015852

From: Afgncaap
To: Microsoft ATR
Date: 1/23/02 10:12am
Subject: Microsoft settlement

After having read about the proposed settlement, I felt compelled to add my own opinion to the volume of opinions given under the Tunney act.

The settlement, like it or not, smacks of appeasement. It seems to do little to diminish anti-competitive practices. I'm going to make the leap of faith and assume that this was indeed intended; I'm positive that the Department of Justice has sufficient legal resources to determine the numbers and effects of the loopholes present in the settlement as proposed.

Therefore, I have to wonder, what is the DoJ trying to accomplish. My best guess is that concern over the economic state of the

United States is at the forefront of the DoJ's collective mind, and that the desire is not to quell ANY successful business, on the theory that to diminish the power and market share of a major company would be a blow to Wall Street and the economy.

I would ask that you reconsider. Squelching Microsoft's anti-competitive behaviour is in the best interests of the economy as a whole. Even severely limited in her ability to market and dispense her products, Microsoft will still be a strong force in the computing world. Nothing will change that short of destroying the company completely. Enough people know and trust Microsoft, with her unparalleled ease of use and the widespread familiarity with her OS and applications, that Microsoft will continue to be the number one for years to come. On the other hand, permitting competing products like MacOS, Linux, and the various other OSes and products like AOL's Netscape and the lesser known Mozilla the opportunity to prove themselves to the open market can only help the viability of these other companies, and increase job availability and tax revenues.

I don't propose destroying Microsoft. It's a valuable company that it is in the best interests of the United States to keep strong. But Microsoft will not see its strength diminished by the presence of other competitors.

Thank you for your time.

Paul Meixner
Middleton, WI

MTC-00015853

From: Guy Helmer
To: Microsoft ATR
Date: 1/23/02 11:12am
Subject: Microsoft Settlement

Under the Tunney Act, I wish to comment on the Microsoft settlement's inadequacy in improving the competitive environment in the software industry.

I agree with the complaints and proposed resolutions expressed by Zimran Ahmed, which are stated as follows:

1) Middleware

The current language in Section H.3 states "Microsoft Middleware Product would be invoked solely for use in interoperating with a server maintained by Microsoft (outside the context of general Web browsing)" does nothing to limit the company's ability to tie customers and restrict competition in non Web-based networked services under .NET, as they fall "outside the context of general Web browsing". Microsoft has already begun abusing its desktop monopoly to tie customers int .NET revenue streams and set up a new monopoly over the network.

Part 2 of the same section states "that designated Non-Microsoft Middleware Product fails to implement a reasonable technical requirement..." essentially gives Microsoft a veto over any competitor's product. They can simply claim it doesn't meet their "technical requirements."

2) Interoperability

Under the definition of terms, "Communications Protocol" means the set of rules for information exchange to accomplish predefined tasks between a Windows Operating System Product on a client

computer and Windows 2000 Server or products marketed as its successors running on a server computer and connected via a local area network or a wide area network." This definition explicitly excludes the SMB/CIFS (Samba) protocol and all of the Microsoft RPC calls needed by any SMB/CIFS server to adequately interoperate with Windows 2000. Microsoft could claim these protocols are used by Windows 2000 server for remote administration and as such would not be required to be disclosed. The Samba team have written this up explicitly here: <http://linuxtoday.com/news-story.php3?tsn=2001-11-06-005-20-OP-MS>

3) General veto on interoperability In section J., the document specifically protects Microsoft from having to "document, disclose or license to third parties: (a) portions of APIs or Documentation or portions or layers of Communications Protocols the disclosure of which would compromise the security of anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems, including without limitation, keys, authorization tokens or enforcement criteria"

Since the .NET architecture being bundled into Windows essentially builds "anti-piracy, anti-virus, software licensing, digital rights management, and authentication systems" into all levels of the operating system, ANY API, documentation, or communication layer can fall into this category. This means that Microsoft never has to disclose any API by claiming it's part of a security or authorization system, giving them a complete veto over ALL disclosure.

4) Veto against Open Source Substantial amounts of the software that runs the Internet is "Open Source", which means it's developed on a non-commercial basis by nonprofit groups and volunteers. Examples include Apache, GNU/Linux, Samba, etc. Under section J.2.c., Microsoft does not need to make ANY API available to groups that fail to meet "reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business." This explicitly gives them a veto over sharing any information with open source development projects as they are usually undertaken on a not-for-profit basis (and therefore would not be considered authentic, or viable businesses).

These concerns can be met in the following ways:

1) Middleware: Extend middleware interoperability with a Microsoft server to ALL contexts (both within general Web browsing as well as other networked services such as are those being included under .NET).

2) Interoperability: Require full disclosure of ALL protocols between client and Microsoft server (including remote administration calls)

3) General veto on interoperability: Require Microsoft to disclose APIs relating to "anti-piracy, anti-virus, software licensing, digital rights management, encryption, or authentication systems" to all.

4) Veto against Open Source: Forbid Microsoft from discriminating between for-profit and nonprofit groups in API disclosure.

MTC-00015854

From: Rich
To: Microsoft ATR
Date: 1/23/02 10:03am
Subject: Microsoft Settlement

My comments are brief... The Proposed Final Judgement (PFJ) falls short in many ways but some of the more significant points include...

* The PFJ Contains Misleading and Overly Narrow Definitions and Provisions.

These provisions are so narrowly defined that the impact upon Microsoft is almost nil. For instance, releasing API documentation to ISV producing compatible middleware is not mandated until AFTER the deadline for the ISVs to that their middleware is compatible. Not doesn't this make sense, it is just plain silly and is part of a rather obvious attempt to present the appearance of Microsoft being punished when in reality, they are being given added competitive edge.

* The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft

Licensing practices have long been an issue with Microsoft. The PFJ does almost nothing to retrain the predatory practices of Microsoft in their dealing with clients. The same licenses and practices were banned once upon a time by the 1994 consent decree.

* The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft

This is such a well documented problem that it is hard to believe that the PFJ does not address it to the satisfaction of anyone but Microsoft.

These incompatibilities have hurt consumers and ISVs and are allowed to continue unabated. Shame on the PFJ for not resolving this issue.

Rich Irvine
Systems Admin
SysAdmin / Senior Systems Consultant
ArchWing Innovations LLC
www.archwing.com

"They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety."

MTC-00015855

From: Lucas Gonze
To: Microsoft ATR
Date: 1/23/02 10:12am
Subject: comment on Microsoft settlement

Speaking as a senior Internet developer, published author on Internet topics, and an Internet entrepreneur, I believe that the proposed settlement is too little, too late. In my business there is virtually no possibility of building desktop software like word processors or web browsers. Investors won't fund it. The reason is that every such effort has failed whenever Microsoft decided to enter the business themselves.

Due to network effects, achieving a larger pool of users is the largest factor in creating useful software and hence selling software profitably. Microsoft's ability to bundle end user software with Windows means that they can create a larger pool of users at will. The only software developers to escape Microsoft do it by luck, when Microsoft actively decides not to take their market. The default in any desktop software market is for Microsoft to have it; there is simply no way

to beat the company's ability to bundle software with the operating system.

This is the definition of a monopoly. There is no possibility of competition, so independent innovation cannot happen.

What independent developers like myself need is for the Justice Department to ensure that we can enter the end user software market. Without intervention by the Justice Department, we cannot. The proposed settlement leaves us locked out of the end user software business.

Sincerely,
Lucas Gonze
CEO
WorldOS Corp.
109 Ainslie Street, Suite 2
Brooklyn NY 11211

MTC-00015856

From: Aurangzeb M. Agha
To: Microsoft ATR
Date: 1/23/02 10:12am
Subject: Microsoft Settlement

Dear Sirs—

I'm writing as the CEO of a Silicon Valley based software consultancy. I am writing to state that I believe that the proposed settlement between the U.S. and Microsoft is flawed and will serve very little in fostering competition and punishing Microsoft. It will in effect, let Microsoft get away with less than a "slap on the wrist".

I hope you'll take this opportunity promote capitalism, fairness in commerce, and the growth of technology by pursuing justice and not letting Microsoft walk away triumphantly after having been found guilty by the U.S. courts.

Sincerely,
Aurangzeb Agha
Aurangzeb M. Agha
Email : aagha@mltp.com
CEO
Missing Link Tech. Partners, Inc.
Voice : +1 415 412.4234
236 West Portal Ave. #292
eFax : +1 208 728.2857
San Francisco, CA 94127
USA

MTC-00015857

From: Olga Burger
To: Microsoft ATR
Date: 1/23/02 10:14am
Subject: Litigation

To Whom It May Concern, I as a user of the Microsoft products, disagree with the litigation process US DOJ versus Microsoft. I strongly believe that Microsoft has done nothing illegal. The DOJ should not pursue litigation and waste taxpayers money.

Regards,
Olga Burger

MTC-00015858

From: Susheel M. Daswani
To: Microsoft ATR
Date: 1/23/02 10:12am
Subject: Microsoft Settlement

Dear Sirs and Madams,

I am writing to make known my displeasure with the government's settlement with Microsoft (MS) in the MS antitrust case. MS has used and, more importantly, is still using its monopoly in the desktop Operating System (OS) market to squash competition

and hinder innovation. The current settlement does not solve this problem, and needs to be reevaluated.

Thanks.

Susheel M. Daswani
Software Engineer

MTC-00015859

From: Collective Automatic Shoes

To: Microsoft ATR

Date: 1/23/02 10:13am

Subject: Microsoft Settlement

I want to point out that i feel that the settlement proposed for microsoft is a poor solution. It is too light of a punishment for a company who has abusively monopolized it's market for over 5 years. I hate to see the settlement take longer, but if the time is taken to do it right, it will be worth it.

MTC-00015860

From:

dalcorn@localhost.localdomain@inetgw

To: Microsoft ATR

Date: 1/23/02 10:11am

Subject: Microsoft Settlement

I would like to comment on the Proposed Final Judgment against Microsoft for it's anti-competitive practices and illegal monopoly. According to the Court of Appeals, "a remedies decree in an antitrust case must seek to "unfetter a market from anticompetitive conduct", to "terminate the illegal monopoly, deny to the defendant the fruits of its statutory violation, and ensure that there remain no practices likely to result in monopolization in the future" (section V.D., p. 99). I do not believe the PFJ serve this purpose. As such, I would like to voice my opposition to the PFJ. Specifically, I do not believe the PFJ provides enough protection to Independent Software Vendors (ISV) who attempt to provide compatible operating systems with Microsoft products. Just like the consent decree of 1995, the PFJ provides too many loop holes allowing Microsoft to continue in their anti-competitive practices. For a more detailed analysis refer to these essays:

<http://www.kegel.com/remedy/remedy2.html>.

<http://www.salon.com/tech/col/rose/2002/01/16/competition/index.html>

<http://www.boston.com/dailyglobe2/015/business/>

[Microsoft_case_key_to_tech_s_future+.shtml](http://www.microsoft.com/tech_s_future+.shtml)

<http://computeruser.com/articles/2101,3,1,1,0101,02.html>

<http://linuxtoday.com/>

news_story.php3?ltsn=2002-01-02-002-20-OP-MS

<http://www.linuxplanet.com/linuxplanet/opinions/3952/1/>

<http://www.kegel.com/remedy/remedy1.html>

<http://lwn.net/2001/1213/a/>

[www011212.php3](http://www.winterspeak.com/columns/121001.html)

<http://www.winterspeak.com/columns/121001.html>

<http://www.pbs.org/cringely/pulpit/pulpit20011206.html>

<http://www.netaction.org/msoft/winfish2.html>

<http://www.cptech.org/at/ms/rnj12kollarkotellynov501.html>

<http://www.cptech.org/at/ms/rnj12kollarkotellynov501.html>

<http://web.siliconvalley.com/content/sv/2001/11/02/opinion/dgillmor/weblog/index.htm>

<http://www.ccianet.org/papers/ms/sellout.php3>

<http://www.gnu.org/philosophy/microsoft-antitrust.html>

<http://www.lamlaw.com/DOJvsMicrosoft/WrapAndFlowMain.html>

() Doug Alcorn (mailto:doug@lathi.net

<http://www.lathi.net>) oo / PGP 02B3 1E26

BCF2 9AAF 93F1 61D7 450C B264 3E63

D543

_ / If you're a capitalist and you have the best goods and they're free, you don't have to proselytize, you just have to wait.

MTC-00015861

From: beumeler@cisco.com@inetgw

To: Microsoft ATR

Date: 1/23/02 10:13am

Subject: Microsoft Settlement

The proposed settlement is bad idea. A proper settlement must: provide redress to the companies whose software innovation has been denied access to markets by the continuing illegal monopolistic practices of the Microsoft corporation provide restructuring of Microsoft corporation and restraints on the resulting companies to effectively deny their cooperation to achieve the same result, and provide ALL companies equal and open access to all their products interfaces and formats provide severe punitive economic sanctions to dissuade such egregious corporate injury to free market enterprise in the United States of America ever again.

Respectfully,

Mark Beumeler

beumeler@cisco.com

MTC-00015862

From: frosty

To: Microsoft ATR

Date: 1/23/02 10:11am

Subject: Microsoft Settlement

Please do not allow Microsoft to continue its disregard for the United States justice system by concession. Microsoft is no longer in a position of compromise; the company has been found to have abused its monopoly powers. This settlement approach with Microsoft seems as ludicrous as a child negotiating his way out of a spanking by brokering a deal that he will no longer "get" to eat his broccoli. Microsoft has been and continues to be anti-competitive. Their sights are now set on Linux, which stands, perhaps, as the last best chance for a competitor to rise in the market and challenge Microsoft's stranglehold on innovation and value. Please don't let Microsoft fleece us again.

Sincerely,

Michael Frost

3517 6th Place NW

Rochester, MN 55901

frosty@celluloidnexus.com

MTC-00015863

From: overhoff@mindspring.com@inetgw

To: Microsoft ATR

Date: 1/23/02 10:14am

Subject: Microsoft Settlement

To Whom It May Concern:

Regarding the Microsoft settlement, I don't believe that the current proposal provides

adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundreds, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices. Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

The United States is a successful nation because its free markets encourage firms to compete for customers by producing high-quality, low-cost goods. This system needs to be protected from monopolists who gain so much power that they can destroy the competitive nature of the markets in which they participate.

Thank you for your time.

Jeremiah Anspach

33 Livingston Avenue

Dobbs Ferry, NY 10522

MTC-00015864

From: Jean-Michel Smith

To: Microsoft ATR

Date: 1/23/02 10:11am

Subject: Microsoft Settlement

To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future.

The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions. Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still

benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general. While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,
Jean-Michel Smith
531 S. Plymouth Ct.
Chicago, IL 60605
(Systems Engineer)
CC:tunney@codeweavers.com@inetgw

MTC-00015865

From: kfriesen@ugmstpaul.org@inetgw
To: Microsoft ATR
Date: 1/23/02 3:58am
Subject: Microsoft Settlement

To whom it may concern,
I am against the proposed settlement for two reasons.

1. The way the settlement currently reads: Section III.A.2. allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system. AND Section III.B. requires Microsoft to license Windows on uniform terms and at published prices to the top 20 OEMs, but says nothing about smaller OEMs. This leaves Microsoft free to retaliate against smaller OEMs, including important regional "white box" OEMs, if they offer competing products.

The company that builds my computers should be allowed to install any operating system that the customer wants.

2. No part of the PFJ obligates Microsoft to release any information about file formats, even though undocumented Microsoft file formats form part of the Applications Barrier to Entry.

MTC-00015866

From: Nathaniel J Bezanson
To: Microsoft ATR
Date: 1/23/02 10:14am
Subject: Microsoft Settlement
from Nathaniel Bezanson
1820 Briarwood
Madison Heights, MI 48071

I've noticed an anticompetitive practice in use by Microsoft that the Courts seem to have overlooked. Please consider the following:

A friend of mine recently purchased a new computer with Windows preinstalled. I suggested that she should try the Linux operating system. She was open to the idea, and her only reservation was being able to go back to Windows, should she not like Linux. "Well that's easy enough," I said, "you just take your Windows original CD and reinstall it." "My what?" came her reply. It turns out that she had a —license— to run Windows, and it was preloaded on her computer, but there was no original media from which to (re)install it.

Without the ability to (easily and legally) reinstall Windows, Linux was a one-way trip. She wasn't about to take that chance. For a user who's curious about alternate operating systems but already comfortable with Windows, that's a formidable deterrent. The practice of preloading Windows but not

including original media forms an effective barrier, preventing users from trying alternate operating systems.

I hope this is considered when revising and expanding the Proposed Final Judgement to a version that more accurately addresses Microsoft's anticompetitive practices.

Thanks for your time!
Nathaniel Bezanson

MTC-00015867

From: Jacob M Wilkens
To: Microsoft ATR
Date: 1/23/02 10:14am
Subject: Microsoft Settlement

I think the proposed settlement is a bad idea...

MTC-00015868

From: David Forrest
To: Microsoft ATR
Date: 1/23/02 10:14am
Subject: Microsoft Settlement

I think the settlement is a bad idea since it doesn't require Microsoft to release the documentation on Microsoft Office documents. If the data enclosed in them can only be read by Microsoft programs, then they will have a monopoly on future data access.

Dave
Dave Forrest
fd24800awcf001@sneakemail.com
(434) 296-7283h 924-3954w
<http://mug.sys.virginia.edu/drif5n/>

MTC-00015869

From: edburgess@vartec.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:08am
Subject: Microsoft Settlement

I'd like to go on record as being opposed to the proposed Microsoft antitrust settlement.

Eric Burgess
Senior Programmer
IT Software Development
VarTec Telecom, Inc.
1600 Viceroy Drive
Dallas, Texas 75235
Phone: 214-424-6534

MTC-00015870

From: Ashok Narayanan
To: Microsoft ATR
Date: 1/23/02 10:14am
Subject: Comments on the Microsoft antitrust settlement

Sir,

Under the Tunney act I would like to submit my comments on the proposed Microsoft settlement for antitrust suits currently sub judice.

In my view the proposed settlement is a very bad solution for consumers. Penalizing an alleged monopolist by providing government-approved mechanisms to expand their monopoly is clearly not a penalty. Further, the proposed cash inflow of \$1 billion by Microsoft is a deceptive figure. Software, by its nature, has a very low marginal cost per unit manufactured, and for Microsoft, the marginal cost of deploying "\$500 million" worth of software is probably in the range of \$250,000-\$500,000. This cash penalty is a mere pittance when compared to the billions of dollars Microsoft is holding in

its war chests—much of which has been accumulated by the price-fixing and monopolistic distribution and licensing practices which the current trial seeks to stop.

The argument that the license costs for software in this penalty are accurate since otherwise "these schools would have had to purchase these licenses anyways" is also flawed. Even if the schools would have had to purchase licenses for software on their computers, it is not clear that they would have had to buy the licenses from Microsoft. Linux and alternative free software solutions have no per-seat license costs, and MacOS is an example of an alternative software which requires licenses. For Microsoft to claim to provide free software is tantamount to their attempting to lock competitors out of this market by giving away free goods. This in itself is a form of monopoly extension. By leveraging their existing monopoly on operating systems and browsers in the workplace, they are giving away their software free in schools in order to expand their monopoly into this area as well.

If this sort of settlement is really on the cards, let Microsoft donate \$1 billion of hardware and cash. Allow the beneficiaries to individually select the software that they wish to deploy on these machines.

The tobacco settlement was not paid in cigarettes!

Sincerely,
Ashok Narayanan
—Asok the Intern
Ashok Narayanan
IOS Network Protocols, Cisco Systems
250 Apollo Drive, Chelmsford, MA 01824
Ph: 978-497-8387. Fax: 978-497-8513
(Attn: Ashok Narayanan)

MTC-00015871

From: Lynn Pye
To: Microsoft ATR
Date: 1/23/02 10:13am
Subject: Microsoft Settlement

As a citizen of the United States I am very disappointed with the remedy that had been proposed for the Microsoft settlement. The settlement is intended to accomplish two goals, punishing Microsoft for its behavior and assisting those who might benefit from the proposal. Unfortunately, the settlement, as proposed, accomplishes neither goal.

First, the proposal helps Microsoft more than punishing it. Microsoft has sufficient cash on hand to not have to accrue any debt to fulfill the spirit of the proposal, which was to cost Microsoft \$1 billion in cash. However, even this was not accomplished as Microsoft was attributing the retail price of their own software toward the fulfillment of the settlement fund requirements. This is at pennies on the dollar given that they can duplicate the software on CD's at the cost of less than \$1 per CD for a software package that can cost \$200. In addition, their software would have been forced onto a market which currently is not deeply penetrated by Microsoft. Second, those who are supposed to benefit from this settlement, the schools, won't. The costs are for the initial purchase of software and for a few years of licensing. Afterwards, the software must be relicensed, said cost to be expended by the schools.

Given that they would have had to switch their processes over to the Microsoft software and become reliant on that software, relicensing would have been necessary or additional expenditure would be necessary to switch away from Microsoft. Most business today stay with Microsoft, in spite of the fees, because the short term cost of switching away is not palatable.

I strongly recommend rethinking the proposal such that those who are to be punished, be punished. Those who need help, should be helped. But please don't confuse politics with justice. They are rarely to be found in happy union.

Lynn Pye

MTC-00015872

From: Jeremy Walker
To: Microsoft ATR
Date: 1/23/02 10:14am
Subject: Microsoft Settlement

Dear sirs,

Unfortunately I'm not blessed with the time to fully analyze the court proceedings involving the Microsoft Settlement. That's not my job, it's yours and I have to place my trust in you, that you are doing your job in the best interest of the population of the United States as a whole. The research that I have had time to make, as well as information I have received from other sources I trust point me to believe that, in this case, my trust has been misplaced.

The danger of Microsoft's monopolies, in my opinion, do not stem from any individuals personal monetary gain. It stems from the destructive impact that Microsofts anti competitive practice has on the advancement of computer science as a whole. Microsoft has done some great things and in many ways has advanced the usability of computing, but it's practices have inhibited and often destroyed the advances of many. Microsoft may be a large "one" that contributes much but the advances and knowledge Microsoft has actively destroyed in the open source, academic and competitive consumer markets are incalculable. You can not calculate the future impact of what has been quashed.

Due to the existing reality of Microsofts practices damaging research in competitive computer solutions, impacting both the financial and scientific advancement of the United States as a whole I must complain that the restrictions/practices proposed in the Microsoft Settlement are in no manner sufficient to the task set before them. The provisions for enforcement of the flimsy restrictions to be placed on Microsoft are as inadequate as the restrictions themselves..

In my mind the goal of this settlement is not to harm Microsoft, but to protect the United States and the field of Computer Science from the damage Microsoft inflicts by attempting to further itself at the cost of others. "United We Stand" is our creed and yet we are letting the one defy the will of the many. I encourage you to think of the United States as a whole and to act in its best interest for the future and not the now. A single strong company is an attractive and palpable entity but we must be forward thinking as to how, we the people, are best served for now and the future.

Sincerely,
Jeremy Walker

MTC-00015873

From: Norman Yamada
To: Microsoft ATR
Date: 1/23/02 10:14am
Subject: Microsoft Settlement

The current settlement with Microsoft is unacceptable for many reasons. I have three particular concerns:

(1) that the proposed settlement doesn't force Microsoft to release any of its file formats; (2) the proposed settlement doesn't force Microsoft to disclose which of its patents protect the Windows API; and (3) that the proposed settlement allows Microsoft to continue its anticompetitive licensing terms against Open Source apps on Windows; and to continue to retaliate against OEMs who ship competing Operating Systems.

Comment on (1): I consult for a small (Wall Street) financial trading company. We use Linux and OpenBSD for many of our servers (and have used many varieties of UNIX for many years); while our traders and office personnel tend to use Microsoft Office and NT/2000 for their workstations. As Microsoft began its transition from NT to 2000, and now XP, we have been hampered numerous times by problems caused by Microsoft deliberately breaking compatibility in its Office Suite programs and its OSs between these versions.

Worse yet, Microsoft claims its formats are compatible between versions. They're not. A Powerpoint97 document can be opened in Powerpoint 2000, and all the text and pages are readable—but the formatting is not accurately reproduced.

As far as I could see, these compatibility problems were not caused because Microsoft was adding new functionality to its Office Suite programs or to its OS—rather, they just were attempts to force us to upgrade all our systems to Microsoft's latest software.

For most of our needs, a simple (and—accurate—) file converter from Office97 apps to Office2000/OfficeXP apps would suffice. But there isn't such a thing. We don't need the new functionality of these later suites — and we don't want them. But at the moment, we are being forced into a needlessly complex and expensive upgrade of our entire network in order to keep our files compatible with other companies.

Forcing Microsoft to release all its file formats would break this cycle. While some of the Office file formats are well known—Excel and Word, for example—the file format for Powerpoint (PPT) is completely undocumented. Most of our problems are with this format. Needless to say, since Microsoft only releases the specifications of this format to "approved" developers, it's unlikely that any company (or private developer) will offer a converter program to change Office XP presentations back to Office 97.

Comment on (2): We would consider purchasing only Office XP, and not convert to Windows XP — but the tight coupling between Microsoft's OS and these applications make it impossible. While I've looked at open source projects such as WINE

(and commercial ventures such as CodeWeavers)—which try to let users run binary Windows apps on nonWindows OS (by emulating the Windows API calls)—our company has not used them, since we've heard from MainWin developers that these open source projects "infringe" on Microsoft's patents on the Windows API. Since Microsoft is not forced to release patent information—how can these projects know if they're in jeopardy or not?

Comment on (3): Most consumers buy computers pre-installed with software; and don't add much software on their own. As long as they —only— have the choice of pre-installed Microsoft OS and Microsoft Apps—or nothing—I think Microsoft's stranglehold on the industry will continue. This block could easily change, if OEMs offered other OS and applications pre-installed on their computers. Since Linux and the BSDs charge —no— licensing fees for their OSs and applications, consumers would get the benefit of cheaper pre-installed computers, to boot. But since under the proposed settlement, Microsoft is allowed to continue penalizing OEMs who offer non-Microsoft OS computers, OEMs have a strong disincentive to offer other platforms to consumers—and Microsoft's dominance will like continue.

Thank you for your time; but the proposed settlement is (in my view) completely unacceptable.

Norman Yamada
nyamada@pobox.com
338 E. 13th Street, #4A
New York, NY 10003

MTC-00015874

From: Boy Plankton
To: Microsoft ATR
Date: 1/23/02 8:17am
Subject: Microsoft Settlement.

To Whom It May Concern:

I am in favor of the current settlement in the Microsoft antitrust trial. Personally, I am concerned that Microsoft was singled out for prosecution because of lobbying by its competitors. I am similarly concerned that the current judgement against Microsoft was rendered by a judge who made no attempt to hide his contempt for the company.

Your Truly,
Vincent C. Marcus III
830 N. 500 W. Apt. 64
Bountiful, UT 84010

MTC-00015875

From: Cox, Phillip
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:12am
Subject: Microsoft Settlement

To whom it may concern:

As a long time Apple supporter, I've been fond of watching Microsoft play catch up in the usability department. The only problem is that when Microsoft embraces a standard (say kerberos in W2K), they then extend it with proprietary add-ons that only work with other Microsoft products. Other companies aren't even given the ability to use these so-called features. For end-users, it might not seem like a big deal, but when personal information is being cataloged at Microsoft without my knowledge or consent, that is a bad thing.

Phillip Cox
Mesa, AZ

MTC-00015876

From: Anthony Engel
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement
To: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Dear Ms. Hesse, As per the Tunney Act, I am submitting my comments regarding the Microsoft Antitrust trial. After having read the proposed settlement, I am extremely concerned that it is not strong enough, and that it will be ineffective in countering the harmful business practices in which Microsoft engages. My largest concerns are with the overly narrow definition of APIs, middleware, and Windows. Important APIs have been overlooked in the narrow definition, such as that used by Microsoft Installer. Middleware such as Microsoft's new .NET initiative (and other future projects) are not covered. Variants of Windows ("Windows powered") such as Windows CE, Tablet Edition, and the X-Box are not covered. I hope that you will take a close look at the problems with the proposed settlement, and make needed changes to it. If you do not, Microsoft will continue to work in essentially the same fashion.

Thank you,
Anthony Engel
9 Fairfield St Apt 3R
Cambridge, MA 02140

MTC-00015877

From: Joseph D. Foley
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

As a member of the Computer Industry, and specifically a Senior Software Developer, I am concerned with the remedies that have been proposed in the Microsoft case. None of them will, in my opinion, have any effect in the real world and could quite possibly make things even worse.

Joseph Foley

MTC-00015878

From: Oscar Merida
To: Microsoft ATR
Date: 1/23/02 10:28am
Subject: Microsoft Settlement

I oppose the proposed settlement in the Microsoft antitrust trial. The current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future.

The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct

or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,
Oscar Merida

MTC-00015879

From: Branson Matheson
To: Microsoft ATR
Date: 1/23/02 10:05am
Subject: Microsoft Settlement

I think this is a VERY bad idea..
branson
Branson Matheson
Systems Consultant
Windborne, Inc.
(\$statements = <BRANSON>) ! /Company Opinion/;

"If you are falling off of a mountain, You may as well try to fly."—Delenn, Minbari Ambassador

MTC-00015880

From: Gordon Fischer
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

The Proposed Final Judgment (PFJ) against Microsoft is unsatisfactory. An excellent argument explaining why the PFJ is unsatisfactory is available here [<http://www.kegel.com/remedy/letter.html>]

In particular the following points make the PFJ undesirable

Failure to prohibit anticompetitive license terms

Failure to prohibit anticompetitive practices towards OEMs

Microsoft's anticompetitive behavior needs to be stopped. Strong measures should be taken to ensure that they will not engage in these business practices again. The PFJ is not enough to ensure compliance.

Thank you,
Gordon Fischer
Austin, TX

MTC-00015881

From: Michael Dale Long
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

Dear sirs:

I am writing to express my dissatisfaction with the proposed settlement in the Microsoft antitrust case. It has been proven in court that Microsoft has violated the Sherman act with it's monopoly, yet the current proposal takes no steps to deprive Microsoft of it's ill-gotten gains, and insufficient steps to prevent future corporate misbehaviour. I ask the court to take this into consideration and amend the settlement with a more appropriate punishment and

preventative clauses. Thank you for your time.

Sincerely,
Michael Long

MTC-00015882

From: Niedermeyer, Franz
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:15am
Subject: Microsoft Settlement
To Whom It May Concern,

I am writing in opposition to the proposed settlement in the Microsoft antitrust case.

The settlement as written will not serve to curtail Microsoft's future anticompetitive behavior, and does even less (if anything) to punish Microsoft for its many past violations of antitrust law.

This proposed settlement will serve to encourage Microsoft to continue the illegally leveraged destruction of competition in new industry segments, as well as providing an incentive for other industries to engage in this type of behavior. I feel strongly that the computer industry would look vastly different and much improved today without the past decade of Microsoft's increasingly apparent anticompetitive actions. Americans would have a much larger variety of secure and useful software to choose from. All would be able to share information without the proprietary interfaces that effect a loss of control and ownership of one's own data.

Finally, I believe that as Microsoft grows through anticompetitive behavior, the risks to Americans of corporate failure in a firm of such unnatural size could readily cause serious harm to our economy and technological infrastructure.

Thank you,
Franz Niedermeyer

MTC-00015883

From: Donnie Cambre
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement
To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future.

The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,
Donnie Cambre
doncambre@attbi.com

MTC-00015884

From: Daniel W. Drake
To: Microsoft ATR
Date: 1/23/02 10:36am
Subject: Microsoft Settlement

As part of the Tunney Act comment period, I feel compelled to inform you that the proposed settlement of the Microsoft Antitrust case does nothing to prevent, punish, or alter any of the points that Microsoft was found guilty of during the Antitrust trial. It does in fact merely provide Microsoft with a simple method to circumvent this settlement, thereby allowing them to continue to abuse their monopoly standing without fear of retribution or punishment. As an owner of a software consulting firm, and a developer on applications I must disagree with this proposed settlement, as it does nothing to curb Microsoft's behavior in the market place, and therefore places not only myself, but computer scientists and developers in the U.S. at risk as the world leader in computer innovation, design, development, and research. As such, and in addition to this letter, I have submitted myself as a co-signer of Dan Kegel's comments available at <http://www.kegel.com/remedy/letter.html>

Sincerely,
Daniel W. Drake
Co-Founder and Board Member of Oak Grove Software, Inc.
Dan Drake
Office: 919-362-1205
Fax : 919-362-1301
Cell : 919-656-7519
ddrake@oakgrovesoftware.com

MTC-00015885

From: Galler, Charles
To: Microsoft ATR
Date: 1/23/02 10:16am
Subject: Microsoft Settlement

Not all schools need more machines running Windows. It may be difficult to integrate into their network.

Charles D. Galler Jr.
Network Specialist
C2C Fiber, Inc.
713.440.4106
cgaller@c2cfiber.com

MTC-00015886

From: Laird Popkin
To: Microsoft ATR
Date: 1/23/02 10:16am
Subject: Microsoft Settlement
CC: laird@3path.com@inetgw

As an engineer involved in the industry professionally for over a decade, I am very concerned about the proposed settlement between the DoJ and Microsoft. I believe that given Microsoft's historic disregard for legal constraints on its behavior, and even simple inability to acknowledge the illegality of its actions, that the proposed settlement will not result in any meaningful change in their anti-

competitive conduct. In addition, the settlement does not appear to penalize Microsoft for their past illegal actions.

The prohibited conduct under the agreement does not address the core of the illegal actions. Now that Microsoft has eliminated any significant competition in both the x86-based desktop operating system market and the web browser market, it's of little value to free OEM's from the illegal license terms and pricing models that allowed Microsoft to eliminate that competition.

The agreement needs to penalize Microsoft for those past actions, but be forward looking to prevent similar illegal actions suppressing future illegal actions. The agreement doesn't prevent Microsoft from using exactly the same tactics to suppress future competition in future markets. For example, the Open Source movement is emerging as significant competition in some application markets (web servers, databases), and as an alternative desktop operating system (Linux and WINE). Microsoft is already using their control over licensing terms for operating system to prohibit the distribution of add-in components (SDK's) with open source software in an attempt to hinder this software model. Microsoft even makes it illegal to use their C++ compiler to develop software for non-Windows operating systems, and licenses some software only for running under Windows, prohibiting the application's use under any competing operating system that has the ability to run Windows applications. The agreement does nothing to protect the web server or database markets, or the open source software movement, from continued (illegal, IMO) suppression. And the agreement does nothing to protect the ability of competitors to implement the Windows API's and allow users to run Windows software on competing operating systems.

The agreement does not penalize Microsoft for past illegal actions. The agreement only addresses future actions, and does not assess a penalty. The wording of the agreement is so vague, with so many exceptions, that that it is wide open to abuse. And given that Microsoft historically has taken advantage of even the appearance of slight ambiguity extremely aggressively, it's hard to believe that they would not use the vagueness and exceptions to render the restrictions meaningless. For example, they can avoid the restrictions on their actions for a "Windows Operating System Product" by renaming it slightly. For example, if Microsoft shifts its efforts to "Windows XP Tablet PC Edition" (which will run Windows applications on desktop PC's with keyboards) then the restrictions become moot. As another example, the requirement that Microsoft publish all API's has the exception that any API can be hidden by Microsoft if the claim that the API relates to security; this is trivial to argue if Microsoft incorporates basic security mechanisms into any API that they wish to keep secret for other reasons.

The term of the agreement, and the lack of enforcement mechanisms, renders it meaningless. Since the agreement is of such limited duration, and violating it has no impact other than a short extension, it will

have no significant effect on Microsoft's behavior, and even if it does for the duration of the agreement, that period is too short a time for competitors to come into place and achieve meaningful market presence.

Finally, I believe that leaving Microsoft structurally unchanged, with an oversight committee, cannot result in a fundamental shift in Microsoft's hostile attitude towards fair competition in the marketplace because it cannot have the visibility into the wide range of Microsoft's activities, nor does it have enforcement mechanisms sufficient to compel Microsoft to comply with its rulings; quite simply, given the scale and profitability of Microsoft's business, minor changes in contractual wording aren't going to meaningfully change the company's direction.

I believe that the only mechanism that can change Microsoft's behavior is to make a separation of the company in which the self-interest of the resulting companies leads to increased competition. The fundamental issue is that there is only a single company that controls the operating system required all participants in the PC industry, and that company does not believe that it has to compete fairly in new markets. Given that Microsoft has consistently rejected attempts to moderate its behavior, I believe that the only remaining options are either to create multiple competing companies in the operating system business, or to strengthen the agreement sufficiently to force Microsoft to behave legally.

STRENGTHENING THE AGREEMENT

I believe that the central need here is to make the Windows API's a completely public document that all participants (Microsoft's operating system team, competing operating system vendors, Microsoft's applications teams, competing application vendors) have equal access to, and against which compliance is independently assured. The documentation of the API, and validation of compliance to it, should be managed by an independent third-party. The agreement would need to draw a clear line between operating system, middleware and applications, and restrict communications between the layers to confirm to publicly documented API's.

Similarly, communication between the operating systems, middleware and applications teams within Microsoft must be restricted so that internal teams are treated on an equal footing with external competitors. For example, whenever the MS Office team needs to discuss an API enhancement with the Windows XP team, it must also discuss that API requirement with the WINE team or any other competing Windows API implementor. For simplicity, it may be better for all API-related communications to be coordinated by an independent third party (e.g. the organization administering the Windows API, for example) to which all participants have equal access. Integration between layers would only be allowed through publicly documented API's, validated by the independent third party—there would be no "private" communication channels between the layers.

The agreement would apply to any version of any operating system shipped by Microsoft, under any name.

The agreement would have no termination. Violation of the agreement could be penalized by up to 10% of Microsoft's revenue for the duration of the time during which Microsoft is found not to be in compliance.

The agreement would guarantee the right to produce and distribute competing implementations of the Windows API's. Microsoft would be prohibited from implemented code in operating system (e.g. Windows XP), operating system add-in components (e.g. Windows Media Player) or their applications (e.g. MS Office) that attempts to determine whether it is running over a Microsoft or a competing implementation of the API, would have no dependencies on implementation details of Microsoft's implementations of the API's, and would make a good faith effort to ensure that such add-ons and applications would operate properly over any implementations of those API's. Microsoft would waive all intellectual property rights that would otherwise affect the ability of third parties to implement the API's.

MULTIPLE WINDOWS COMPANIES

In this option, I would propose forming three companies, all with equal rights to all current Microsoft intellectual property (patents, source

and I just don't think this settlement goes far enough.

Lora Friedenthal
86 Welisewitz Rd
Ringoes, NJ 08551

MTC-00015888

From: HOUK, LESLIE B. (JSC-ER) (ESI)
To: "microsoft.atr@usdoj.gov"
Date: 1/23/02 10:10am
Subject: Microsoft Settlement

I am writing to comment on the proposed Microsoft settlement. I believe that the settlement is inadequate on a number of issues:

1. It doesn't take into account Windows-compatible operating systems.
2. It contains misleading and overly-narrow provisions and definitions.
3. It fails to prohibit anti-competitive license terms currently in use by Microsoft.
4. It fails to prohibit intentional incompatibilities historically used by Microsoft.
5. It fails to prohibit anti-competitive practices towards OEMs. Because of these inadequacies, the proposed Final Judgement as written allows and encourages significant anti-competitive practices to continue, delays the emergence of competing Windows-compatible operating systems, and is thus not in the public interest. It should not be adopted without substantial revision to address these problems.

Thank you.

MTC-00015889

From: Rich Pieri
To: Microsoft ATR
Date: 1/23/02 10:14am
Subject: Microsoft Settlement

This short note is to inform you that I believe that the proposed final judgement in the US DOJ v Microsoft case is a bad idea. Among its many problems, the PFJ fails to punish Microsoft for its actions, it lacks an effective mechanism of enforcement, and due to imprecise or excessively narrow wording it actively encourages Microsoft to further its monopolistic practices.

Signed, Richard L. Pieri, Holbrook, MA;
Systems Administrator.

Rich Pieri <pieri@intersystems.com>
Unix Systems Administrator
InterSystems Corporation
CC:Rich Pieri

MTC-00015890

From: Kalin Fetvadjev
To: Microsoft ATR
Date: 1/23/02 10:16am
Subject: Microsoft Settlement

This is a mail to note that I personally do not feel that the proposed Microsoft settlement is the one that actually would stop Microsoft from abusing the companies monopolly.

Regards,
Kalin Fetvadjev

MTC-00015891

From: Chris Loudon
To: Microsoft ATR
Date: 1/23/02 10:00am
Subject: Microsoft Settlement

I understand this is the address to send comments on the Microsoft Settlement.

Here's my comment: The settlement is an embarrassment to our country. At what point to the rule of law become so trivial? How can a company that so egregiously broke so many laws be let off so easy? I suspect somebody did a poll, but that doesn't seem right.

MTC-00015892

From: Birl W. Worley
To: Microsoft ATR
Date: 1/23/02 10:16am
Subject: Microsoft Settlement.
Microsoft, its Officers and Directors need to be punished for their crime. They are criminals just as are bank robbers.
Birl W. Worley, Jr.

MTC-00015893

From: michael
To: Microsoft ATR
Date: 1/23/02 10:17am
Subject: Microsoft Settlement
I think the settlement is a bad idea.

MTC-00015894

From: Shawn Campbell
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:16am
Subject: microsoft antitrust trial remedy.
To Whom It May Concern,
I am a concerned citizen and information technology professional. I am writing to express my opinion that the proposed settlement is inadequate. I have included a url at the end of this email to an essay which expresses many of my reasons for holding to my opinion on the matter. Although I did not write the essay, I have read the essay in it's entirety and I agree with the analysis presented in the essay. I have communicated to the author of the essay my desire to be a cosigner of the essay when it is transmitted to the department of justice. This email is evidence of that intention. Thank you for your time and attention to this email.

The url for the essay is:
<http://www.kegel.com/remedy/remedy2.html>
Cordially,
Shawn Campbell
Student Network Administrator
Malone College

MTC-00015895

From: Wade Winright
To: Microsoft ATR
Date: 1/23/02 10:17am
Subject: Microsoft Settlement To whom it will concern,

I believe that the settlement against Microsoft should be an agreement that will somehow allow the markets that they participate in to "catch-up" to the appropriate shares they deserve in order to compete with the monopolistic giant Microsoft has made themselves.

Thank you for your time,
Wade Winright
P.O. Box 1687
Sandpoint ID
83864

MTC-00015896

From: bane@gst.gst.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:09am
Subject: Microsoft Settlement

I would like to register my objection to the proposed settlement in the United States vs. Microsoft case.

The biggest problem I see is that the settlement is not a structural remedy. Oversight remedies have been tried against Microsoft in the past, and they have coded arounded them, lobbied over them, and legally maneuvered past them every time. The only thing that hasn't been tried yet, and that has a hope of working, is to break them up.

Breaking Microsoft up into OS/Applications/Other divisions wouldn't break their monopoly, but it would make it more difficult for them to use their OS monopoly to create new monopolies in other areas, which they are doing with Windows XP even as I type this.

Robert Bane
Global Science & Technology
6411 Ivy Lane, Suite 300
Greenbelt MD 20770
301-474-9696 FAX:301-474-5970

MTC-00015897

From: Brandon R. Butler
To: Microsoft ATR
Date: 1/23/02 10:16am
Subject: Microsoft Settlement

Dear sirs:

I am writing this to express my opposition to the proposed settlement to the Microsoft antitrust suit.

As a computer professional, this issue is one that is very important to me both personally and professionally. It is my opinion that the proposed settlement does not do enough to thwart Microsoft's unfair business practices or to ensure fair competition in the marketplace. As the situation exists now, Microsoft has been utilizing their monopoly in operating systems to unfairly gain control of other markets, such as Internet browsing, instant messaging, and digital audio. This is the situation that a reasonable settlement must address, and I do not believe the current proposed settlement has any real power to restrict Microsoft's illegal actions in this area. In order to be effective, a solution must prevent Microsoft from tying (or "bundling") unrelated software into their operating systems; this is the only way to ensure that all competing products, including Microsoft's, have an opportunity to be evaluated fairly by a competitive market on the merits of the products themselves. The current settlement has no real power to do this, and thus will be ineffective in correcting Microsoft's illegal practices.

I am not opposed to Microsoft; anybody who wishes to use Microsoft products should have the free choice to do so, as is proper in a free nation. However, the problem is that people who choose to use non-Microsoft products are severely limited in their options because Microsoft uses illegal tactics to stifle competition. The day that one person can run a fully function system using Microsoft technology, and another person can run an equally functional system using no Microsoft technology at all, will be the day that this suit is settled adequately—not before.

Sincerely,
Brandon R. Butler

Ridgeland, MS

MTC-00015898

From: Randy Smothers
To: Microsoft ATR
Date: 1/23/02 10:22am
Subject: Microsoft Settlement

I have been a information systems developer, software programmer and software user for more than 25 years. Based on my experience and my reading of the "Proposed Final Judgement" (PFJ) in United States vs. Microsoft, I am concerned that the PFJ is significantly flawed and insufficient to correct existing monopolistic practices on the part of Microsoft, let alone deter the continuation of such practices in the future.

In particular, I am concerned that the PFJ does not correctly define the terms "API" and "Microsoft Middleware" and therefore fails to implement protections against Microsoft's continued use of the Windows APIs to maintain or even increase the "Applications Barrier to Entry" cited by the Trial and Appeals courts.

Through arbitrary, capricious and often unannounced changes in the Windos APIs and by withholding the full documentation of many Windows APIs and any documentation at all of others, Microsoft has long been able to suppress efforts by other software developers to create applications software that is competitive with software offered by Microsoft in terms of features and/or performance.

Similarly, by not having to clearly and publicly identify the patents applicable to the Windows APIs, Microsoft is able to use vague threats of "patent infringement" to inhibit the development and adoption of competing applications.

Having been successful at ensuring the Windows operating system is ubiquitously present in homes, educational institutions, businesses and government offices throughout the USA and much of the rest of the world, Microsoft has shown no reluctance to use that presence to monopolistic advantage whenever it has decided to offer its own product in any area of computing applications. Absent meaningful provisions forcing Microsoft to provide equal and fair access to the Windows APIs, the Proposed Final Judgement fails to adequately address the issue of Microsoft's enhanced Applications Barrier to Entry and as a result also fails to serve the interests of the public through enhancement of the competitive environment for software in the Intel-based computer industry.

Ernest R. Smothers

Note: The opinion(s) or view(s) expressed above are my own and are not intended to represent those of my employer.

MTC-00015899

From: Michael Roberts
To: Microsoft ATR
Date: 1/23/02 10:18am
Subject: Microsoft Settlement

Dear Sirs,

Please register my objection to the proposed Microsoft settlement. The Proposed Final Judgment has already been made obsolete by the fast-moving computer market. The settlement omits Windows operating

systems on PDAs, or gaming platforms such as MS Xbox, which will undoubtedly provide fertile fields for Microsoft to further leverage its monopoly. Even now, Microsoft is harrasing Lindows.com, a Windows-compatible operating system. There is no evidence whatsoever that Microsoft has learned its lesson, or has any intention of refraining from the illegal activities it has engaged in in the past. Please revise the settlement to include *all* of the market segments that Microsoft's monopoly touches, not just the segments where the competition is already dead.

Sincerely,
Michael Roberts, CTO
MyPrintGuys, Inc.

MTC-00015900

From: esot1@aol.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:17am
Subject: Microsoft Settlement

LET S STOP THE LITIGATION AND RESUME BUSINESS THE GOVERNMENT WAS WRONG TO BRING THIS CASE TO COURT IN THE FIRST PLACE.

MTC-00015901

From: W.A. Collier
To: Microsoft ATR
Date: 1/23/02 10:18am
Subject: Microsoft Settlement

Dear Judge,

The proposed settlement is a bad one; please reject it and have the DoJ and the states go back and draft something that will address the facts found in the District court case.

A unanimous US Court of Appeals agreed that Microsoft had illegally kept its monopoly position by preying on other software developers and computer manufacturers. The bottom line is that Microsoft operated illegally, and any settlement or resolution of this case should make sure the company cannot continue its anticompetitive behavior. Unfortunately the proposed solution does not do this. In many ways, it actually reinforces Microsoft's monopoly, and does nothing to restrain Microsoft from acting illegally again in future markets.

Indeed, Microsoft has already shown they intend to continue to piggyback off their illegally obtained operating system monopoly to crush more markets. As an example, look at the "give away" of millions of dollars of development effort in their Media Player, which is unnecessarily "integrated" into WindowsXP—and is targeted at the RealPlayer product line, in order to crush it, in the same way they did the Netscape Browser. Microsoft, unlike its competitors, simply rolls the development cost into their illegally obtained monopoly operating system, and undercuts the competition unfairly. Yet the proposed settlement does not address preventing this sort of monopolistic behavior at all. Remember, developing a media player, a browser and other software costs money, and Microsoft leverages their monopoly to mask these costs while smashing competition unfairly. The Circuit court in its 7-0 decision, and lower courts found this "bundling" illegal and

monopolistic, yet the settlement does not address this in any sort of meaningful fashion: it allows Microsoft to tightly integrate and bundle its media player, its web browser, and myriad other applications into the Windows Operating System, instead of competing freely against external applications.

Also, the proposed settlement contains no provisions to remedy the unlawful monopolization of the operating system; nothing that will produce competition. Remember that the Circuit court ordered that a remedy must "unfetter the market from anticompetitive conduct... [and] .. terminate the illegal monopoly". the proposed settlement does nothing of the sort. Its attempt to open the "API" (programming interface) of the Windows operating system will merely reinforce the monopoly, not terminate it as the court called for. Also opening the API is not enough: Microsoft plans only to open a mere a subset. Complete and full disclosure of ALL the source-code is the only "opening" that would suffice to terminate the Microsoft monopoly.

Finally, the proposed settlement does nothing at all to address the issue of effective remedy along side enforcement. the proposed penalties are ludicrous—an extension of terms that they have already violated is hardly a punishment. Fiduciary penalties must be applied, as well as structural ones. Also, the solutions proposed for "competition" are heavily dependent upon Original Equipment Manufacturers for implementation—the same OEMs who are partners and part of Microsoft's business plans (Such as Dell and Compaq).

In sum, this settlement is wholly inadequate, and should be rejected and the DOJ and the States should be directed to follow the rulings of the Circuit Court and lower courts when crafting a settlement, instead of ignoring the findings of fact and law, and currying favor with an unrepentant lawbreaking monopolist.

Regards,
Winston A. Collier
16731 E Iliff Ave #166
Aurora, CO 80013
303-215-6062
wacollier@wacollier.com

MTC-00015902

From: M M
To: Microsoft ATR
Date: 1/23/02 10:18am
Subject: MICROSOFT SETTLEMENT

Judge;

Please ensure that the rule of law extends even to the richest and most powerful in our great country.

Even in the past few months, as the DOJ has essentially let Microsoft entirely off the hook, they have begun to exercise their monopoly powers in a way that is actually scary (have you seen the new XP release and the Passport junk that you just cannot get away from therein???)

The entire US software industry is depending on you.

Thank you.

Chris Kellerman
Software Engineer
2197 E. Bayshore

Palo Alto, CA
94303

MTC-00015903

From: Gabriel Black
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

The proposed settlement is a bad idea. The proposed settlement is a slap on the wrist. Microsoft should be punished severely! We need competition in the marketplace and Microsoft stifles innovation.

A1C Gabriel Black
United States Air Force

MTC-00015904

From: Philip Balister
To: Microsoft ATR
Date: 1/23/02 10:18am
Subject: Microsoft Settlement

After reviewing the proposed Microsoft antitrust settlement, I believe it does little to remedy the problems created in the marketplace by Microsoft prior actions. I believe that it should be much stronger with respect to preventing Microsoft from continuing to use anti- competitive practices. I would suggest a very simple, very direct solution in order to prevent continuing evasive behavior by Microsoft.

Philip Balister

MTC-00015905

From: Chris Freemesser
To: Microsoft ATR
Date: 1/23/02 9:21am
Subject: Microsoft Settlement

Hi there.

I don't believe that the proposed settlement in the Microsoft Anti-Trust case will prevent Microsoft from continuing their illegal practices. If the agreement was powerful enough to do this, you wouldn't have so many states disagreeing with the proposed settlement.

Thanks,
Chris Freemesser

MTC-00015906

From: Scott Clausnitzer
To: Microsoft ATR
Date: 1/23/02 10:18am
Subject: Microsoft Settlement

I wish to comment on the proposed Microsoft Settlement.

Microsoft should not receive just a slap on the wrist. This company made billions of dollars through illegal acts. Unless the penalties are greater than their illegally gotten profits, large monopolistic corporations will see the courts and the anti-trust laws as just another tool to earn money.

If the final outcome of the settlement allows Microsoft to retain even a single dollar earned through illegal activities, then the court system could be seen as partnering with the monopoly in order to allow these activities to remain profitable. Don't put on a show, don't claim false or hollow victories. Send a message, teach a lesson, punish the guilty.

Scott A. Clausnitzer
via e-mail
sclausnitzer@yahoo.com

MTC-00015907

From: Jason W. Strnad
To: Microsoft ATR
Date: 1/23/02 10:18am
Subject: Microsoft Settlement

Renta B. Hesse,

Since the beginning of this most recent case against Microsofts antitrust actions, I have watched and read with interest reports and documents which have been made available to the public. I have read the findings of fact, and the various proposed final judgements, in addition to the many other documents which have been published or released by the courts. I have considered these documents against my own personal and professional experiences with Microsoft and the rest of the technical sector. It is, after consideration of all of the above, my decided and educated opinion that of all of the PFJ's offered to the court, none of them will entirely do justice to the crimes that Microsoft has committed. Nor will any of the PFJ's remedy the situation by creating a fair and level playing field for real competition against Microsoft.

Having said that, of the options being presented to the court, the PFJ being presented by the nine dissenting states seems the best place to start. Also deserving consideration is how to protect competitors who implement software applications and operating systems which are compatible with Microsofts current and previous offerings. This point is keenly important as Microsoft has a proven track record of protecting its monopoly through aggressive actions designed specifically to root out and destroy the marketplace in which potential competitors do business. I feel this matter needs specific consideration so as to allow competition to develop and thrive without reducing potential competitors to welfare recipients dependent on entitlements granted to them by the court.

The effect of this decision and final judgement should not be to give competition a one time "shot in the arm" but to create a lasting and level playing field which would allow competition to come about naturally and to prevent Microsoft from taking predatory and unlawful actions to protect their monopoly and destroy competition before it takes root.

Thank you for your time.

Jason W. Strnad
jasons@ehlokitty.org

MTC-00015908

From: Grozdits Gregory G 1stLt AFRL/IFGD
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:18am
Subject: concern with the current motion of the suit

Good day,

First let me point out that these comments are, of course, in no way an official representation of Department of the Air Force doctrine or opinion. With the frequent travel involved in my career, this is the first time I've had internet access and time to write about my thoughts.

Every time I've read recent comments about the DOJ's case against Microsoft I've been disheartened. Most of what I have to say, I hope, will be said by others with better

experience in the law and more concern for economics.

My experience with Microsoft has led me to believe that Microsoft employees are highly intelligent, extremely motivated and very foresighted. They design a decent product, but the company itself has become so overpowering that it is hurting the US and her technological development.

One example of their malfeasance is their listing of the Dynamic Linked Libraries required for internet connections in their list of files to be removed when uninstalling Internet Explorer. I was very dismayed when the whole system that I wrote, while trying to use only Java to keep the software platform independent, broke simply because I removed Internet Explorer at the request of my Security Officer.

Developing code for a client/server project that was to be independent of Operating System, and which I tried to steer clear of OS specific calls, you can imagine my frustration. On the other hand, it was a brilliant business move.

We all know the effects that Microsoft had on Netscape and Corel's WordPerfect. Still among the die-hard researchers that I work with at various institutions from MIT to Sandia, most have a copy of Word-Perfect that we use for serious correspondence (using LaTeX for photographic ready work), only using a copy of MS Word to read the documents that are sent out by various agencies. I wish that all of them had time to share their feeling on the innovation stifled by the Microsoft corporation. A second example I have is of a friend doing what I thought to be quality speech recognition research. MS approached him to back his research, with the condition that he couldn't publish without their approval. Though it would have been interesting to speak with a lawyer about their offer; that offer was immediately untenable.

I apologize that I did not have time to argue more cogently, but my life is kept quite busy these days. My summary is that I have seen MS move to stifle competition in a way that I hope to practice as a member of the military against those who would stand against my country. However, I can't imagine that such use of force is fair or just in the world of business. We keep America safe because it allows those with new ideas to grow. I've heard of a few problems that hurts those I work with:

A simulator that veers uncontrollably because MS NT crashes the idea to hand Marine's Windows CE forward fire control units that have frequent fatal execution faults when interfacing with the man-pack radios, because MS wouldn't provide the code for their OS and the current DoD mandate is to use as much commercial off the shelf software as possible I believe that our country have been held back by the practices of MS. The technology that I've seen as a member of the Air Force Research Laboratory has some amazing applications, but most of those that run on MS are effete in some way because of their OS. Other OS's have a plethora of capabilities, but since the procurement process dictates using COTS and "Current civilian practices," we have weakened our defense. That's why we have

the DOJ and it's anti-trust division. I wish you the best in your arduous task. In my opinion, MS needs to be reined in. Less of a monopoly on software would make a market that had more innovation and I see benefit in that because it helps me do my job.

Thank you for your time,

Lt. Greg Grozdits

Platform Connectivity Branch DSN: 785-4947 x3402 Information Directorate A/C EC-135E 60-0372 Air Force Research Laboratory

Personal comments and opinions contained herein are not advice or doctrine of the USAF, the Department of the Air Force or the Department of Defense.

MTC-00015909

From: Ed Saipetch

To: Microsoft ATR

Date: 1/23/02 10:18am

Subject: Microsoft Settlement

Hi,

I am writing to tell you that I disagree with the Microsoft settlement terms.

I believe that the Proposed Final Judgement in United States vs. Microsoft is shortsighted and overly broad in many of the limitations set for Microsoft. Microsoft has been known for it's "Embrace and Extend" philosophy and some of the clauses in the judgement will allow them to do that again.

The proposed judgement applies to "Windows", however it does not define products that Microsoft is developing that may extend their monopoly such as Windows CE, Pocket PC, or their X-Box platform.

Also the settlement states that it requires API documentation however competitors are not allowed to use it to help make their operating systems compatible with Windows.

These clauses just show how loopholes have been created within the settlement that allows Microsoft to escape its grasps with technicalities. To level the playing field with their competitors, Microsoft should be required to publish a complete documentation of all their Windows (*and related products) API's. This does not allow people to steal their technology but to *interface* into it so they can develop products for Windows. What is going to stop them from having API's that have been performance-crippled and API's that only they use which aren't?

Another suggestion mentioned by the GNU organization is allowing them to only use patents for defense. Even if they are allowed to release specifications on their products, what is going to keep them from going after companies for developing things remotely like their products. Right now Embrace & Extend has kept them ahead but if they are not allowed to use this tactic against competitors, what's going to stop them from suing them?

One last comment... It seems that section III(J)(2) contains statements that are pinned against not-for-profit organizations. According to that section it isn't necessary for them to describe, license, document API's and protocols affecting authentication or authorization to companies that don't meet Microsoft's standards as a business. I don't understand how Microsoft is able to

determine that criteria... It appears that their own standards of running a business counter that of the U.S. government's.

They seem to constantly be saying that Linux is a threat to them as well as Open Source projects in general, this allows them to not give their API's for authentication away to a competitor.

This mail may not mean much but hopefully someone will understand just as Judge Thomas Penfield Jackson did, that Microsoft interested in their own best interests, not the public's. The company has been permitted to stifle innovation and contribute to competitors demise.

Thank you for your time.

Sincerely,

Ed Saipetch

Indianapolis, IN

MTC-00015910

From: yanez

To: Microsoft ATR

Date: 1/23/02 10:22am

Subject: Microsoft Settlement.

As a computer user and owner of a small business, I believe Microsoft should not be allowed to supply software to public schools as a means of settlement. This would obviously proliferate their monopoly, and further stifle competition in the computer OS market.

There monopoly causes problems for my business and me personally. Because of the Microsoft monopoly, there is a lack of consideration for other operating software and platforms. Security holes, breaches of computers can all be attributed to the proliferation of Microsofts operating system.

If a software monopoly can thrive in a digital age, then there will be more digital attacks. Because of Microsofts monopoly, a single computer user can literally shut down the entire internet with viruses aimed at one operating system.

Their gateways within the Internet specifically the Microsoft exchange hinders sending email attachments. Further more, they have been able to proliferate their Operating System by NOT shutting down software piracy. If the company was willing to stop piracy as they say, then there OS would not be able to become a the monopoly they seek.

Piracy will only become an issue once they have 100% market share and control of all gateways and access to the internet not allowing others access. Once 100% market saturation occurs, they can shift to a business model that requires users to pay for their own data by locking out users who do not wish to subscribe and upgrade to their Operating System.

If the Justice Department is informed as they think, then the break up of Microsoft as Jackson had determined is the right solution.

MTC-00015911

From: Steve Sherwick

To: Microsoft ATR

Date: 1/23/02 10:18am

Subject: Microsoft Settlement

Dear Sirs,

This message is intended to convey my concerns with the proposed settlement between the US and Microsoft. As a

computer professional of 30 years experience I am simply appalled by this proposed agreement. I have watched Microsoft stomp on their competition with abandon through that period and to see a party found guilty by the courts of the United States be allowed to essentially walk free is disheartening.

I find the proposed settlement to be an inadequate penalty for the depths of injustice foisted on the American populace by Microsoft as proven by the findings of fact during the trial. First, the monetary penalties for a company are minimal and frankly non-existent.

Second, the restraint of their use of their monopoly power is inadequate, you might as well have told them to "go and sin again". Third, there is no provision to restrain Microsoft from targeting the Open Source Software community for elimination using the same techniques used against Novell, Netscape and others. There are MANY other concerns but I'm sure most have been brought to light by others.

In my opinion, this proposed agreement is bad law, bad for the American consumer and pretty well written by Microsoft to their own ends.

Best Regards,
Steven P. Sherwick
3937 Williston Road
Minnetonka, Minnesota 55345

MTC-00015912

From: the dogs of war
To: Microsoft ATR
Date: 1/23/02 10:19am
Subject: Microsoft Settlement

Please revise the proposed Microsoft settlement to be harder on Microsoft. As it stands, this settlement will not succeed in bringing equity to the marketplace.

Microsoft does not deserve any special leniency. Please consider this email as a strong vote against Microsoft. They have flaunted the law long enough. Don't let them get away with their behavior any longer.

P.S. Microsoft has faked grassroots movements in the past in order to sway opinion to serve their cause, please seriously consider this possibility when reading the letters you receive.

MTC-00015913

From: Mark Hessman
To: Microsoft ATR
Date: 1/23/02 10:27am
Subject: Microsoft Settlement

I am strongly against the proposed settlement. I have witnessed Microsoft's anticompetitive tendencies firsthand (they blatantly absorbed business and technical ideas from a project my former company—now defunct—demo'd to them in hopes of enlisting their support) and I suspect that the settlement will actually help them rather than hurt them. For one thing, the language that forces Microsoft to share their APIs and the Windows-desktop real estate includes qualifiers limiting this provision to companies of a certain size, or with a viable business model—language that Microsoft is probably gleeful about, as it gives them license to ignore the grassroots, open-source projects that are currently the only real challenge to its PC monopolies.

The civil suit remedy—Microsoft donating millions in computers and software to US schools—represents, if anything, a Br'er Rabbit ("oh please don't throw me in the briar patch") type of "remedy". The education market is one which Microsoft has had the most difficulties in establishing its monopoly; it's also one of the most potentially promising, as kids who learn to use computers via Microsoft products will be a major source of revenue for Microsoft in the future and the present (as their parents, and later they, buy home machines that they're comfortable using). Further, copies of existing software cost Microsoft close to nothing, so this doesn't even function as a fine.

Also, the remedy says nothing restricting Microsoft's practices in markets other than the OS and the browser. Windows XP finds Microsoft tying more products to the operating system and actively discouraging the use of competitors (permitting the "ripping" of music to data files at high fidelity only if the destination format is Microsoft's own). And finally, the three-member panel tasked to confirm that Microsoft is complying with the remedy has very little power. If Microsoft is not complying, there's nothing they can do.

I remember when Microsoft was one company among many, when Windows was one of several graphical user environments on the market and Office was one of several office suites. The pace of innovation then—only a decade ago—was far faster than it is now, despite the fact that raw computer power has been increasing equally fast (or even faster) recently. There has been some truly innovative work being done on the fringes of the industry (look at BeOS for example)—and the reason that these ideas remain on the fringes is Microsoft.

Mark Hessman
Madison, WI
[Disclaimer: this email represents my views, not necessarily my employer's.]

MTC-00015914

From: Ryan Calder
To: Microsoft ATR
Date: 1/23/02 10:52am
Subject: Microsoft Settlement

I wish to take advantage of the Tunney Act provision for public comment regarding the Microsoft case.

I am a systems programmer/analyst in Kansas City, Missouri, working with Java, Oracle, and a wide range of open source database products in a variety of UNIX environments, ranging from GNU/Linux to Solaris to BSD and Mac OS X. Since I work in a midwestern market significantly dominated by Microsoft technologies, I am regularly impacted by Microsoft, their products, and their business practices. Based on my experience in the Microsoft-dominated Kansas City market, it is my position that the proposed final judgment falls far short of a remedy to the Microsoft antitrust problem. For many reasons, it is important that Microsoft's behavior be controlled more adequately than is provided in the proposed final judgment. Microsoft must not be allowed to engage in anticompetitive licensing practices with enterprise customers.

—Microsoft must not be allowed to engage in anticompetitive licensing practices with US governmental agencies or other non-profit organizations.

—Microsoft must not be allowed to engage in anticompetitive licensing practices with individual consumers.

—Microsoft must be required to publish the specifications of any new non-standard networking protocols they plan to incorporate into their operating systems.

—Microsoft must be required to publish the specifications of their common file formats. i.e. Word, Excel, etc.

—Microsoft must be required to comply with published standards for file formats such as HTML when labeling files as files of that standard file type.

—Microsoft must be forbidden from "bundling" into their operating systems any functionality currently provided by third-party software packages. i.e. digital photography, security, streaming media, etc.

—Microsoft must not be allowed to use any antitrust remedy to strengthen their monopolistic position. For example, the free distribution of their product, or of hardware intended to use their product, should not be part of any final settlement.

—License agreements between Microsoft and end users which serve anticompetitive purposes must be terminated and replaced with more appropriate licenses.

—No US government agency should accept advertising or "free" giveaway displays unless the interests of competing parties are available and displayed in an equitable manner. For example, the current XP displays in US Post Offices are outrageous, and should be removed.

Thank-you for your consideration of this matter.

Ryan Calder
Kansas City, Missouri
ryan@the-calders.com

MTC-00015915

From: Ben Farley
To: Microsoft ATR
Date: 1/23/02 10:18am
Subject: Microsoft Settlement

The Microsoft Settlement is a travesty! To allow a corporation that has so quintessentially used abusive and illegal practices in the software market would be a sin. The Product that Microsoft has provided in its nearly death grip hold on the market share for home Operating Systems is disgustingly buggy and broken. If a sufficient penalty is not placed on Microsoft than alternative Operating Systems that are more secure such as Linux will not be allowed to flourish.

MTC-00015916

From: Bruce Stephenson
To: Microsoft ATR
Date: 1/23/02 10:19am
Subject: Microsoft settlement

To whom it may concern:

I would like to state my opinion that the proposed settlement of the Microsoft antitrust litigation is farcical, and would serve no purpose except to buttress the monopoly position that Microsoft has already built. If Microsoft manages to escape with

this settlement, the U.S. government will look ridiculous in the eyes of the world.

Regards,
Bruce Stephenson
Bruce Stephenson, Ph.D.—
cbs3@midway.uchicago.edu
Curator, History of Astronomy
Adler Planetarium & Astronomy Museum
+1 312-322-0820 (voice)
+1 312-341-9935 (fax)
*** Opinions expressed do not represent
official
*** positions of the Adler Planetarium.

MTC-00015917

From: Dusty Jones
To: Microsoft ATR
Date: 1/23/02 10:19am
Subject: Microsoft Settlement

The proposed judgment in the Microsoft antitrust case is flawed. Microsoft has been found guilty of using anti-competitive behaviors to advance its monopoly and should be dealt with appropriately. The settlement as proposed does not deal with Microsoft's past behavior and will not curtail future aggressive monopolistic behavior.

Though I believe the settlement is flawed in other areas, I will focus my comments on the requirements that Microsoft document its middleware. My main argument with this requirement is that file formats used by Microsoft remain undocumented. Microsoft has a monopoly in operating systems and office suites. By forcing Microsoft to document file formats, there will be more competition in the marketplace. There exist products which compete with Microsoft Office, these include Sun's StarOffice, AbiWord, and Gnome's Gnumeric. These products can not truly compete until they are able to exchange documents with Microsoft applications. As the judgment stands Microsoft can modify file formats with every version release (as they have in the past) forcing competitors to continuously play the catch-up game.

Now is the time to level the playing field. The court has the ability to force Microsoft to make reparations for its past monopolistic behavior. The nine state's Attorneys General have done a disservice to the people of America, and the software companies that have been harmed by Microsoft's behavior in the past and those that will be harmed by Microsoft's behavior in the future. Please revise the settlement to truly change Microsoft's aggressive monopolistic practices.

Thank you,
d.
Dusty Jones
Concerned American Citizen
Round Rock, Texas 78664

MTC-00015918

From: Jon C
To: Microsoft ATR
Date: 1/23/02 10:19am
Subject: Microsoft Settlement

I feel that the Proposed Final Judgement is not restrictive enough. There are too many loop holes that fail to prohibit Anticompetitive practices against OEMs, large user groups (Enterprises), and Windows-compatible competing operating

systems. As one small example of the many missing pieces I propose an amendment:

III. A. 2. shipping a Personal Computer that (a) includes both a Windows Operating System Product and a non-Microsoft Operating System, or (b) will boot with more than one Operating System, OR (C) INCLUDES A NON-MICROSOFT OPERATING SYSTEM BUT NO WINDOWS OPERATING SYSTEM PRODUCT; or The amendment in all CAPS would prohibit anticompetitive practices against OEMs who distribute non-Microsoft operating systems.

The Proposed Final Judgement is merely a slap on the wrist to Microsoft and allows them many avenues to continue their illegal Anticompetitive practices. Microsoft is now a convicted Monopolist and strict rules must be placed on them to prohibit any further Monopolistic/Anticompetitive practices.

Thank you,
Jonathan Covin
Software Engineer
Fairfax, Virginia

MTC-00015919

From: eyebum
To: Microsoft ATR
Date: 1/23/02 10:18am
Subject: Microsoft Settlement

My name is Chris Sexton. I am a US resident. I am not employed by Microsoft or any of its competition. I want to independently add my voice on the Microsoft Antitrust settlement decision. I think that the court decision should comprise a suitable punishment for Microsoft's demonstrated past and continuing behaviour, and serve as an effective deterrent against continued anti-trust abuses by the company. It should be harsh, reflective of the abandonment of law that Microsoft has demonstrated.

According to the Court of Appeals ruling, "a remedies decree in an antitrust case must seek to "unfetter a market from anticompetitive conduct", to "terminate the illegal monopoly, deny to the defendant the fruits of its statutory violation, and ensure that there remain no practices likely to result in monopolization in the future" (section V.D., p. 99). I believe in free and fair trade. If Microsoft truly had a superior product offering that they offered to the public via competition alone, I would hope for market domination.

Yet Microsoft has not only ignored the rules of fair trade, when they are asked to provide a settlement on the issue, they offer up a farce that extends their monopoly, while preying on the idea that they are enabling and assisting the disenfranchised. Suddenly the government is a bad guy when they deny Microsoft their custom, swanky "briar patch". Though I am often critical and even cynical when it comes to the government, I am hopeful that the court will see fit to come down hard on Microsoft. The implications of the computer and the internet have already changed our lives, and will do so in increasingly bigger ways in the future. To allow one company to control this through its illegal behaviour is simply not acceptable.

The computer industry is one which changes daily-innovations and new technology are ever forthcoming at a rate which is nearly incomprehensible compared

to a legal proceeding. Microsoft would further line its coffers with its unlawful practices while delaying the outcome of this case, no matter what.

There are many problems with the Proposed Final Judgement in its current form. In regards to competition, the document is lacking in many fundamental areas. These areas are nothing unique to the Microsoft situation, it is the way the rest of the computer industry operates and interacts. Some of these problems are:

1. The PFJ fails to require advance notice of technical requirements. Section III.H.3. of the PFJ requires vendors of competing middleware to meet "reasonable technical requirements" seven months before new releases of Windows, yet it does not require Microsoft to disclose those requirements in advance. This allows Microsoft to bypass all competing middleware simply by changing the requirements shortly before the deadline, and not informing ISVs. The PFJ needs to require Microsoft to release this information well in advance. Again, this is nothing new to the computer industry, but based on Microsoft's past and continuing behaviour, they need to be required by law to make this happen.

2. API documentation is released too late to help ISVs. Section III.D. of the PFJ requires Microsoft to release via MSDN or similar means the documentation for the APIs used by Microsoft Middleware Products to interoperate with Windows; release would be required at the time of the final beta test of the covered middleware, and whenever a new version of Windows is sent to 150,000 beta testers. But this information would almost certainly not be released in time for competing middleware vendors to adapt their products to meet the requirements of section III.H.3, which states that competing middleware can be locked out if it fails to meet unspecified technical requirements seven months before the final beta test of a new version of Windows.

3. Many important APIs would remain undocumented. The PFJ's overly narrow definitions of "Microsoft Middleware Product" and "API" means that Section III.D.'s requirement to release information about Windows interfaces would not cover many important interfaces. Microsoft needs to be forced to document fully all aspects of all API's necessary for vendors to create effective products for the Windows platform.

4. Unreasonable Restrictions are Placed on the Use of the Released Documentation. ISVs writing competing operating systems as outlined in Findings of Fact (52) sometimes have difficulty understanding various undocumented Windows APIs. The information released under section III.D. of the PFJ would aid those ISVs—except that the PFJ disallows this use of the information. Worse yet, to avoid running afoul of the PFJ, ISVs might need to divide up their engineers into two groups: those who refer to MSDN and work on Windows-only applications; and those who cannot refer to MSDN because they work on applications which also run on non-Microsoft operating systems. This would constitute retaliation against ISVs who support competing operating systems.

5. File Formats Remain Undocumented. No part of the PFJ obligates Microsoft to release

any information about file formats, even though undocumented Microsoft file formats form part of the Applications Barrier to Entry (see "Findings of Fact" 20 and 39). This is a critical piece of one of the technical barriers that Microsoft has erected against competition. File formats lie very near the heart of OS operations, and interaction with the kernel and OS structure. This documentation is critical to developers hoping to create software that is innovative and effective.

6. Patents covering the Windows APIs remain undisclosed. Section III.I of the PFJ requires Microsoft to offer to license certain intellectual property rights, but it does nothing to require Microsoft to clearly announce which of its many software patents protect the Windows APIs (perhaps in the style proposed by the W3C; see <http://www.w3.org/TR/2001/WD-patent-policy-20010816/#sec-disclosure>). This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users and developers. While it would seem to hurt Microsoft, in fact, it keeps the Microsoft monopoly intact through Fear, Uncertainty and Doubt. The PFJ, by allowing this unclear legal situation to continue, is inhibiting the market acceptance of competing operating systems.

Microsoft has an army of lawyers that will seek to narrowly define every aspect of any proposed judgement in such a way that it becomes academic for Microsoft to step around the bounds of the settlement. They have demonstrated this behaviour before. I ask that the court educate itself on the terms and definitions, and strive to discourage loopholes based on interpretation of the language. Any settlement needs to have binding power that goes beyond the current Microsoft product offering, and address the behaviour of the company.

Thomas Reilly, the Attorney General for Massachusetts, said this: "The case against Microsoft is the most important antitrust action of our generation and one that will determine the future of the new economy. Because of its landmark importance, this case should not end without a remedy that restores competition."

Please make a judgement that is effective and enforceable. The computer and the internet have fundamentally changed our lives. To allow one company, through unlawful activities, dictate where this technology will take us, is simply not acceptable. These directions need to be decided by market forces. Please take heed of the many pitfalls that Microsoft will place for its competition, and the desire of this company to avoid any sort of compliance with existing laws.

MTC-00015920

From: pace@pacew.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:19am
Subject: Microsoft Settlement

I have read about the proposed settlement with Microsoft, and I do not think that it will be effective in protecting the public against future anti-competitive behavior by Microsoft.

I hold a bachelor's degree in Computer Science and Engineering from MIT, and have 20 years of experience as a software engineer. I'd like to comment on just two of problems I see in the PFJ. I'm aware of many more problems than these, but since this is not my primary line of work, I can only afford the time to respond to these items. I don't claim that these are the two most important problems—they are just two which have affected me professionally in the past. I trust that you'll receive comments from other people on the other issues.

The PFJ should require Microsoft to disclose file formats. A huge barrier to the acceptance of GNU/Linux based systems as competitors to Windows on the desktop has been the lack of a word processor compatible with Microsoft Word. In a related area, Microsoft should be required to disclose network protocols. One can see how documented protocols directly aid competition by noting that the SMB file sharing protocol was documented (at least to some extent) by Microsoft, and there is now a thriving market for file servers that can be used by Windows systems but that are implemented on other platforms. These file servers offer different features from any Microsoft product, and the market has shown that there is a demand for them.

To make this sort of requirement meaningful, there must be a way to penalize Microsoft if it can be shown that essential documentation is missing, camouflaged or delayed.

Another issue is that Microsoft should never be allowed to specify in an End User License Agreement that a program can only be used on a Microsoft operating system. In addition, Microsoft should not be allowed to restrict a third party who uses Microsoft program development tools from being able to distribute the resulting executables to users of other operating systems. In practice, this means that if Microsoft allows a third party user of one of its development tools to redistribute a DLL at all, then that user should be allowed to redistribute the DLL to anyone.

Thank you for your attention,
Pace Willisson
4 Spruce Road
Medway, MA 02053
508 533 6430
pace@alum.mit.edu

MTC-00015921

From: Tom Davis
To: Microsoft ATR
Date: 1/23/02 10:20am
Subject: Microsoft Settlement

I think the proposed settlement will just further Microsoft monopoly. If the students in school just learn Microsoft, then that is what they will use. Also, Microsoft controls the pricing for its software so they set any price they want for their software, so the monetary penalty is meaningless.

Tom Davis

MTC-00015922

From: Phil Hilton
To: Microsoft ATR
Date: 1/23/02 10:20am
Subject: Microsoft Settlement

I feel that the proposed settlement is a BAD idea.

Phil Hilton
philip.hilton@maine.edu racle—You need a database. Larry needs a new boat.

MTC-00015923

From: Jeremy Garff
To: Microsoft ATR
Date: 1/23/02 10:08am
Subject: Microsoft (fwd)

To whom it may concern,

Based on the information I have read regarding the Microsoft antitrust trial, I believe that the current proposed remedy negotiated by the Justice Department is nothing short of a givaway.

I am not familiar with the political motives behind the settlement, however it appeared to change 180 degrees overnight. First, the department of justice went aggressively against Microsoft for its anticompetitive practices, then changed suddenly to take the break up remedy off the table and propose the current settlement. The settlement now before the court is nothing more than a slap on the wrist. This toothless settlement will do nothing to stop Microsoft from changing its behavior, as it is filled with too many loopholes and grey areas granting Microsoft too much power.

I find it ironic that Microsoft can constantly sing the praises of innovation and competition in its public and political relations, while at the same time, they unfairly leverage their operating system in an effort to extend marketshare. We've seen this behavior crush competition such as Netscape, Novell, Word Perfect, etc. Microsoft must be stopped before other markets fall prey to .NET and newly released Windows XP. I for one, want to use an operating system, or browser based on its technical merit, not the companies ability to abuse its market power.

I am fully behind the work in the ongoing trial against Microsoft. I feel that a break-up of the company would be a fair and just remedy which would restore competition to the marketplace. I have seen settlements with Microsoft in the past that led to little or no change in its corporate behavior. I kindly ask that if a settlement is reached, it be one that can guarantee a stop to Microsofts abuse of its monopoly position.

In sending this e-mail, I ask that it be kept anonymous.

Thanks in advance,
Jeremy Garff

MTC-00015924

From: Joseph F. Lingeitch
To: Microsoft ATR
Date: 1/23/02 10:20am
Subject: Microsoft Settlement

I am writing to comment on the proposed judgment against Microsoft for their illegal conduct in abusing their monopoly in desktop operating systems. In summary, I think the penalties are excessively light and furthermore they do nothing to punish Microsoft for it's illegal behavior or correct the damages that have occurred. The settlement is unacceptable because it is far too lenient on Microsoft.

My main frustration with Microsoft (I own Windows 95 and MS Office 97 software) is

their unwillingness to accurately document the details of their file formats for their office products and network protocols for sharing files. Their reason for doing so is to strengthen their monopoly status and prohibit competitors from producing products that challenge Microsoft market share.

The power of network computers is in their ability to exchange meaningful information in a heterogeneous environment. Microsoft does not make sufficient allowances in its software for intercommunication between computers other than those running Microsoft Operating system. Examples of the close protocols with inhibit this connectivity are the closed Microsoft Word file formats and the Microsoft's poorly documented NetBui protocol implementation. I urge you to strengthen the penalties against Microsoft to be commensurate with their violation of the law and to open up the desktop operating system market to competition. We would all benefit from the increased competition.

Sincerely,
Joseph F. Lingeitch
U.S. Naval Research Laboratory
Washington, DC 20375
E-Mail: jfl@aslan.nrl.navy.mil
Phone: (202) 404-4820
FAX: (202) 404-7732
CC: Joseph F. Lingeitch

MTC-00015925

From: Ralph Stevens
To: Microsoft ATR
Date: 1/23/02 10:20am
Subject: Microsoft Settlement
To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I believe that the proposed settlement as written does not fully redress the actions committed by Microsoft in the past. The proposed settlement does not adequately address their ability to commit similar actions in the future.

The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their illegal acts and not for the American people in general.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an settlement just for sake of reaching a settlement. The settlement much provide for redress of past abuses, and incentive to prevent future abuses. A wrong that is not corrected is compounded.

Sincerely,

MTC-00015926

From: NEWBOLR@Nationwide.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:20am
Subject: Microsoft Settlement
Hello,

I am against this settlement agreement. It does not sufficiently prohibit Microsoft from raising barriers against competitors.

Richard Newbold

MTC-00015927

From: Chris C. Larson
To: Microsoft ATR
Date: 1/23/02 10:20am
Subject: Microsoft Settlement

The settlement proposed in the Microsoft Antitrust case is a bad idea. It forces no real change on Microsoft's part. It creates an environment where the people responsible for monitoring Microsoft's compliance are Microsoft employees. These people don't eat unless Microsoft tells them so, and yet they're supposed to be relied upon to report violations?

As a registered voter in the state of Michigan, I find this settlement to be unacceptable.

Please note that this e-mail is sent as my comment on the proposed Microsoft Settlement, as is allowed during the Tunney Act public comment period.

Chris Larson
1103 East Woodfield Dr SE #12
Grand Rapids, MI 49508
CC: miag@michigan.gov@inetgw

MTC-00015928

From: Sam Hostetter
To: Microsoft ATR
Date: 1/23/02 10:19am
Subject: Microsoft Settlement

I am concerned that the remediation proposed by the Justice Department does not go far enough to end the monopoly Microsoft enjoys in the software industry. Microsoft has a tendency to take an open protocol, such as Kerberos, and "extend" it in such a way as to make competing products unable to use the now closed protocol. For reference, this article appeared on Slashdot.org on March 2, 2000: <http://slashdot.org/article.pl?sid=00/03/02/0958226>

This is a classic case of Microsoft "racing, extending, & extinguishing" and open protocol to destroy competition. If Microsoft's API (or Application Programming Interface) were made public, this would go a long way toward ending their strangle hold on the market place. We would then have an opportunity for a truly competitive product to challenge Microsoft's dominance.

Competition in the marketplace drives innovation. Microsoft's "release often, patch often" business model would surely fail in the face of competition from nimble companies releasing superior, more secure products. The American consumer wins.

Sam Hostetter
5710 Manning Road
Indianapolis, IN 46228-1640

"If you design for the exceptions, the rules fall into place."

Sam Hostetter

MTC-00015929

From: Silvert, Stan

To: "microsoft.atr(a)usdoj.gov"

Date: 1/23/02 10:20am

Subject: Microsoft Settlement

I would like to express my disapproval of the proposed Microsoft Settlement.

Thank you,
Stan Silvert

MTC-00015930

From: Chad Kidder
To: Microsoft ATR
Date: 1/23/02 10:21am
Subject: Microsoft Settlement

I feel that the DoJ settlement with Microsoft is a bad idea. They have proven that they will not abide by restrictions placed on them (look at prior court cases). There needs to be a non-Microsoft enforcement mechanism in place for whatever is reached. We need to make sure that it has teeth. A company with \$40 billion in the bank will not take small fines seriously.

I find section III.J of the settlement particularly onerous. This leaves loopholes that Microsoft will use to make sure that their APIs are still unknown. To correct this problem, Microsoft should be required to document all APIs that interact with any external software in a timely manner prior to Microsoft's release of them. This should go further to the office market where Microsoft has effectively used obfuscated file formats to stop compatibility with 3rd party software.

We have let Microsoft crush the competition and we are now paying the price. If you want to use most computer programs, there is only a windows version. If you want to write some type of document, most people will only accept an office document. The current remedies do nothing to help stem this tide. As the government you are obliged to help right this. What we currently have negotiated does not.

Chad Kidder
College Station, TX

MTC-00015931

From: Ted Wood
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:12am
Subject: Microsoft Settlement
Sirs,

I think that the proposed settlement to the Microsoft case is bad and will not do anything to significantly alter Microsoft's behavior. It is a mere slap on the wrist and will allow them to continue to do all they can to gouge consumers and destroy the free software movement. Thank you.

Ted Wood

MTC-00015932

From: Jetzer, Bill
To: Microsoft ATR
Date: 1/23/02 10:21am
Subject: Microsoft Settlement: Not enough

I have read the proposed settlement, and I do not think it is appropriate in its current state. It describes no punishment for Microsoft's past illegal activities, and leaves loopholes such that the letter of the settlement may be followed while the spirit of the settlement is not. I urge you to read and consider the content at <http://www.kegel.com/remedy/>, especially Mr. Kegel's essay which thoughtfully analyzes the proposal and explains these loopholes in

detail. His analysis is at <http://www.kegel.com/remedy/remedy2.html>. By the way, I am also cosigning Mr. Kegel's petition, as described at the top of <http://www.kegel.com/remedy/letter.html>.

Sincerely,
Bill Jetzer
2822 Richardson St
Madison, WI 53711

MTC-00015933

From: Randy Carpenter
To: Microsoft ATR
Date: 1/23/02 10:20am
Subject: Microsoft Settlement

I believe the proposed settlement is a bad idea. It is not strong enough to break the monopoly Microsoft holds.

Randy Carpenter, <http://www.cc.gatech.edu/~randy>
Georgia Institute of Technology,
randy@cc.gatech.edu
College of Computing, (404) 894-9046
Computing and Networking Services
Group, <http://www.cc.gatech.edu/cns>

MTC-00015934

From: jecto@juno.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:21am
Subject: Microsoft Settlement

I feel that the settlement proposed for Microsoft is not appropriate. It is not enough of a punishment for a company who has been an abusive monopoly for several years. It can, in some ways, even be interpreted as to help support Microsoft, rather than punish it.

Thank you for your time,
Kevin Rayhons
San Antonio, TX

MTC-00015935

From: Fiedler, Jon
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:22am
Subject: Microsoft Settlement

Hi,

I would like to go on the record as opposing the Proposed Final Judgement in the US v Microsoft case.

I don't think that the Proposed Final Judgement will do anything to foster competition in the marketplace as there are too many loopholes (specifically, the "security exemption" in disclosing APIs—this is not specifically defined, and is therefore open to lengthy court cases for interpretation). Put this together with the fact that the proposed remedies will expire in 5 years (with a possible 2 year extension), and it would be easy for Microsoft to simply wait out the term of punishment and then continue it's illegal and anticompetitive practices. (And with \$36 billion in the bank, Microsoft definitely has the cash to survive that long). Once again, I would like to voice my strong opposition to this Proposed Final Judgement.

Thank you,
Jon
Jon Fiedler voice- 216.368.6075 fax-
216.368.3395
Net AdminCase Western Reserve
University jmf9@po.cwru.edu

MTC-00015936

From: RW Salnick

To: Microsoft ATR
Date: 1/23/02 10:22am
Subject: Microsoft Settlement

I have read about the proposed settlement, and I am not in favor of it as it currently stands. Please consider this a vote against the current settlement.

RW Salnick
PO Box 45117
Seattle, WA
98145

MTC-00015937

From: Ben Hartsell
To: Microsoft ATR
Date: 1/23/02 10:22am
Subject: Microsoft Settlement

I have read about the proposed settlement, and I am not in favor of it in its current state. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors.

Bennett Hartsell
Houghton, MI

MTC-00015938

From: R. D. Porcher
To: Microsoft ATR
Date: 1/23/02 10:22am
Subject: Microsoft Settlement

To whom it may concern:

I am taking this time to do what I believe is my duty in this matter by voicing my opinion on the matter of the Microsoft antitrust case. It is absolutely unthinkable that an entity with a record of anticompetitive behavior as Microsoft has should be allowed to essentially walk free to continue to play dictator to the computing world. MS must be punished for their actions, and the current settlement is not the way to do it. If MS is allowed to go through with their "generous" offer of donating 1 billion in hardware and software to US schools, they will, in fact, be playing the government and the citizens of the US as fools. Such an action would make hardly a dent in their armor. Yet it would make that armor even stronger by giving them a foothold in the one market that they have yet to dominate. Apple computer, one of MS' chief rivals, has long kept itself afloat by holding on to a tenuous lead in the education market. Allowing Microsoft to be punished by giving to US schools would, in effect, give them dominance in that market as well.

So, you see, this so called punishment, is actually a thinly-veiled attempt by MS to further their monopoly. They must not be allowed to do this. We rely on our government to protect us from those who would oppress us. Do not fail us here.

Sincerely,
Richard Dwight Porcher, III

MTC-00015939

From: John Holland
To: Microsoft ATR
Date: 1/23/02 10:22am
Subject: Settlement

Dear Sirs;

I would like to briefly state my opinion about the Microsoft Anti-Trust settlement.

The remedies that have been proposed will have no effect on the behavior of this company. The history of their disregard for

previous consent orders and decrees should make that clear. It should also be clear that they are using their monopoly position on desktop operating systems to aggressively pursue similar total dominance of other markets such as multimedia transmitted over the Internet ("Windows Media Player"), security infrastructures ("Passport") and so on.

It may make sense for their to be only one maker of desktop operating systems. If so, then that company should be effectively analyzed and regulated to ensure the needs of its customers (consumers and businesses) are being properly served, possibly in a manner like for public utilities. Judge Jackson's Findings of Fact and the ridiculous behavior of Microsoft in the trial (ie the videotape debacle, Gates' deposition) should make it clear that this is a company that needs to be aggressively reined in.

Sincerely,
John Holland
CC:jholland@tomsw.com@inetgw

MTC-00015940

From: jmpeterson@alum.mit.edu@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

The lawsuit should never have been brought in the first place. It is only another scheme to pump funds to trail lawyers who will then payoff the cooperating AG's with campaign contributions. The only reason the settlement isn't acceptable to the AG's is that it will help the schools more than it will meet their original plan. If this sounds cynical—it is!

MTC-00015941

From: Sander Wolf
To: Microsoft ATR
Date: 1/23/02 10:23am
Subject: Microsoft Settlement

The proposed settlement with Microsoft is a farce. There are no punishments in it that will keep Microsoft from continuing to do what it has always done—stifle competition unfairly.

Sander Wolf

MTC-00015942

From: Frank_Riha@KeyBank.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:22am
Subject: Microsoft Settlement

To Whom it May Concern:

I writing in regards to the proposed Microsoft Settlement. I have serious reservations regarding the proposed settlement. It appears to be full of holes that any moderately inventive group of lawyers could use to render the document nearly useless. I agree with all the points raised in the fine document at <http://www.kegel.com/remedy/letter.html>, and would respectfully request that the proposed settlement be refined to include the modifications included therein.

As a computer professional, I ask that you to take the time and care necessary in understanding such a complex industry, and realize that Microsoft, being guilty of monopolistic practices, should be punished in a way that is meaningful and lasting. Thank you for your time and effort.

Frank Riha

8119 Spring Garden Rd.
Parma, OH
44129
email: fkze_riha@ameritech.net
email: frank_riha@keybank.com
phone: 216-813-5734

MTC-00015943

From: Mike Schiraldi
To: Microsoft ATR
Date: 1/23/02 10:22am
Subject: Microsoft Settlement

I would just like to say that I have read about the proposed settlement, and I am not in favor of it in its current state. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors, and less favorable to Microsoft.

Sincerely,
Michael Schiraldi
20851 Isherwood Terrace
Apt. #203
Ashburn, VA
20147

MTC-00015945

From: Reuben.S.Partida@
banetworkdata.com@inetgw
To: microsoft.atr@usdoj.gov
Date: 1/23/02 10:23am
Subject: Microsoft Settlement

Bad idea. Don't accept it. It basically lets Microsoft off the hook, and allows them to actually gain market share in the education arena.

MTC-00015946

From: dlazorsr@ameritech.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

Regarding the case of the 9 States settlement with Microsoft I believe this is fair and needs to be settled. This entire fiasco over the last several years has cost the taxpayers far too much. It's time to settle and put those who think litigation is the American way in their place. Litigation only helps the lawyers and parasites who want to get a free ride. Prolonged litigation doesn't help the American economy or taxpayer. It's time to resolve and put this to an end.

David M Lazor Sr

MTC-00015947

From: Jeff Born
To: Microsoft ATR
Date: 1/23/02 10:14am
Subject: Microsoft Settlement

The Microsoft settlement seems extremeley watered down to me. I have been using computers for nearly two decades now and never remember one companies products showing up on a OEM computer as much as Microsoft's. I would have liked to see the original settlement with the breakup of Microsoft into two separate companies take place.

Some not an intire list of grievences I have as a computer programer:

Not every win32 in documented. Microsoft programmers have access to system call the rest of the world doesn't have.

Registered File Types. On a brand new computer the mp3 extension is registered

with the Windows Media Player. Try explaining how to use some other product to listen to mp3s to a novice computer user.

Contracts Microsoft can force on OEM computer retailers. Some won't even sell Lynux on a computer because of this, let along another OS.

Ask a novice computer user to list any known OSs, or office suites. My guess is 90% won't even know that a choice exists. Let along ask them to open a file from a competing company.

Our country has been made great by competition, but also by having the government step in and restore balance when our choices have been taken away.

Thanks for reading,
Jeff Born

MTC-00015948

From: surra
To: Microsoft ATR
Date: 1/23/02 10:23am
Subject: Microsoft Settlement

The settlement does not open up competition—it still allows Microsoft? to bully & exclude others from developing software that would give us— the consumer—choices. A mild example is their recent activity concerning a Linux (an operating system) application that would allow Linux users to run Windows? products within a Linux environment. The app is called Lindows and Microsoft's? reasoning is that the consumer would be "confused" between Windows? and Lindows! They have demanded & gotten the email list (including the messages—not just the addresses!) of anyone that wrote Lindows expressing an interest in the product! This is a mild example of the type of behavior Microsoft? is known for within the industry (intimidation via legal suits etc. that many small companies simply cannot afford to fight!) & was supposedly being stopped. Please modify the settlement to make it clear to Microsoft? that competition is acceptable but being a bully is NOT!

thank you
s shoaf
screcat@northstate.net

MTC-00015949

From: frankr@bigfoot.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

This was a political case from the begining M/S is an american copr. by & for americans.End it now in favor of M/S. If an inves. of a monopoly is needed it is of the U.S postal service.

MTC-00015950

From: cajowomk@cox-intrtnet.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

I request that this judicial battle be ended and Microsoft be left alone to continue to improve my computer operation.

MTC-00015951

From: Mighty Mik
To: Microsoft ATR
Date: 1/23/02 10:22am
Subject: Microsoft Settlement

This settlement is a bad idea, and lets a monopoly win. Since when does DOJ bow down before Microsoft?

M.J. Ishmael
Berkeley, California

MTC-00015952

From: Michael Dunlap
To: Microsoft ATR
Date: 1/23/02 10:23am
Subject: Microsoft antitrust case

To Whom It May Concern,

As a U.S. citizen and IT professional, I need to object in the strongest fashion to the proposed settlement with Microsoft. The company is a monopolist which shows no intention of ceasing its illegal behaviour, and the settlement does little to prevent Microsoft from engaging in this behaviour. If this settlement is allowed, it will just be a matter of time before Microsoft is brought up on antitrust charges again, forcing the U.S. to waste more of its taxpayers' money and time. Microsoft needs to be forced to comply with standards and cease monopolistic behaviour since they have no intention of voluntarily doing so. The settlement does not adequately address this aim.

Thank you for your time,
Michael Dunlap
(The opinion stated here does not necessarily reflect that of Yale University.)

MTC-00015953

From: cnfjennings@home.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

I am addressing the people who find fault with Microsoft. If it were not for Bill Gates and his company Microsoft I would never have purchased a computer in the first place. Because of his genius and foresight to make the computer easy to use and understand I am now learning more and using the computer everyday. I plan to take a course at my local High School and try to get a job paying more than the minimum wage. I thought the American Way was to let the average citizen develop a product find a way to sell it and make a profit. I see the phone companies doing it the cable company has total control over us and PA and no-one is even bothering to look into their business. For instance a Walgreen just opened right down the street from and Eckerd Drug and that is called the American Way.

Stop Netscape and whoever else has a problem with Microsoft& Bill Gates moving ahead with his genius programs and ability to hire the right people to help the average person get ahead. Shame on those that would stop the American Dream.

MTC-00015954

From: susan.boni@prudential.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:23am
Subject: Microsoft Settlement

The proposed settlement is bad idea.

MTC-00015955

From: Derek Martin
To: Microsoft ATR
Date: 1/23/02 10:23am
Subject: Microsoft Settlement
To whom it may concern,

The proposed settlement between the Department of Justice and Microsoft is not a good thing.

My name is Derek Martin. I am an electrical engineering Ph.D. student who will shortly be joining the corporate work force for an American semiconductor company. I use computers regularly (including Microsoft products and competitors, including but not limited to free software). I currently enjoy the environment of (some, though I would like to see more) competition among software vendors/design philosophies/market philosophies, etc.

The proposed settlement does not do enough to ensure that this type of competition can continue. Microsoft just has too much market share and unfortunately continues to unfairly leverage this fact to push out potential competition, by moving standards and computer usage paradigms away from situations that allow competition. Many people such as myself agree that the world is better off with Microsoft products AND Apple products AND Linux AND Solaris AND Internet Explorer AND Netscape AND Office AND Free Office equivalents than it will be if Microsoft gets their way and we have only Windows+Office+Internet Explorer with whatever other so-called "innovations" they want to force onto our computer and charge us lucratively for.

There is competition, now. I can use Linux (for now, until Microsoft "innovates" some new proprietary thingy that I would *need* their software for, with competition being pushed out by designed incompatibilities with other Microsoft products). I could buy an Apple system (for now, until the chip makers decide not to produce PowerPC chips anymore because Microsoft has efficiently dominated the market, and decides to exhort computer makers to only sell their products on other platforms). These alternatives will soon disappear, in my opinion, if Microsofts previous actions which were found to violate Antitrust law, are effectively *encouraged* by applying weak, outdated, and otherwise ineffective remedies, as the current settlement proposal would do.

Regards,
Derek Martin

MTC-00015956

From: wharpen@in-touch.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

We support the settlement it is fair to all. It s time to get on with business especially during present economic downturns

Walter Harpen

MTC-00015957

From: pwknopp@pacbell.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

I am satisfied with the proposed outcome as outlined on this website and I look forward to a speedy conclusion to this long and tedious legal affair.

MTC-00015958

From: fjb8@cornell.edu@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am

Subject: Microsoft Settlement

I am writing as a consumer taxpayer student and proud user of multiple Microsoft products. While I find many problems in the proposed settlement especially the creation of the independent Technical Committee (TC) and the dangerously high amount of power and resources given to it and the incentives given by the settlement to Microsoft s competitors to delay progress and innovation by filing multiple complaints and thus delay product launches I nevertheless support this settlement as the lesser of two evils the greater evil being continued harassment of Microsoft and the American consumer through further baseless and meritless litigation. Of course the preferred course of action is for the dropping of all action against Microsoft and the dismissal of any verdicts against it. Thank you very much.

MTC-00015959

From: Roger Cordes
To: Microsoft ATR
Date: 1/23/02 10:22am
Subject: Microsoft Settlement

As a shareholder of Microsoft corporation, I am conflicted in this anti-trust matter; however, I can not, in good conscience, allow my worries over stock prices to overshadow my sense of business ethics. Microsoft has proven, time and time again, that they will stoop to any business practice without regard to class, morality, or even law. They have stolen (if it were not for Apple Computer, Microsoft would have absolutely no product whatsoever), they have cheated (an online poll at ZDNet concerning consumer satisfaction with Microsoft products was shown to have skewed results, due to a suspiciously enormous number of votes coming in from Microsoft employees), and worst of all, they have boxed out the free market of the personal computer industry.

Article IV of the U.S. v. Microsoft: Court's Findings of Fact (<http://www.usdoj.gov/atr/cases/f3800/msjudgex.htm>), concerning cross-platform Middleware architectures and Microsoft's utter distaste for any such business practice, is of particular interest to me. Microsoft has proceeded to seek out any and all sources of cross-platform product, then "made them an offer they couldn't refuse." Microsoft warned middleware manufacturers that if they did not abandon their cross-platform ways, Microsoft would be forced to punish them. Microsoft showed great interest in becoming the only platform available; this is just the type of behavior we needed this anti-trust case for.

Microsoft has clouded the minds of countless millions who have been duped into thinking that there is no viable alternative to Windows. And in the current market, that may be the case. However, we the people, of the United States, have at our fingertips the opportunity to change this. Let us not miss this chance.

Roger L. Cordes, III
Raleigh, N.C.

MTC-00015960

From: Lake, Daniel
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:29am
Subject: Microsoft Settlement

I am a PC user from Portland, Oregon. I feel that the proposed settlement with Microsoft is unacceptable. In the past 5 years, choices in PC software have been taken away by Microsoft and I have been forced to use their products by default. They are all that is available due to licensing or bundling with hardware. The quality of MS products have gone downhill terribly, security and privacy are non-existent in their software, and because of company buy-outs or licensing tactics, I am forced to use MS software for virtually every task on my PC. Please find another settlement that allows for competition and lets microsoft know that they must compete fairly in the PC software market. Thank you,

Dan Lake
Portland, OR
mail@lakepage.com

MTC-00015961

From: Howard Abbey
To: Microsoft ATR
Date: 1/23/02 10:23am
Subject: Microsoft Settlement

Hello,

I believe the proposed settlement between the U.S. government and Microsoft is inadequate, inappropriate, and unacceptable.

If particular, I take issue with the settlement's failure to stop Microsoft from using many of the anti-competitive licenses (such as the Enterprise licenses). These effectively restrict companies from using both Microsoft and competing operating systems.

I also take great issue with the fact that the settlement does not cover the monopoly over document formats that Microsoft currently enjoys. The Word file format, and all other formats of programs where Microsoft has greater than 90% market share, should be released to the public in a timely manner. As a consumer, I have tried to choose products that best fit my requirements. However, when dealing with others during my current job search, I am required to give resumes in Word format. Because of the ever changing and highly secretive format, I am forced to abandon my chosen software on my own system, and use Microsoft Word at the local library. If the Word format was public and an open standard, the software I use could support it, and this would be remedied.

This agreement is not in the public interest, and should be discarded or reworked.

Thanks for counting my opinion,
Howard Abbey

MTC-00015962

From: M M
To: Microsoft ATR
Date: 1/23/02 10:24am
Subject: MICROSOFT SETTLEMENT

Hello Judge;

I'm just going to ask you to let justice actually be done in the case of Microsoft vs. the USA.

It makes no sense to allow Microsoft to decide which of its applications must be part of the operating system?and it makes even less sense to allow them to decide which companies are legitimate competitors and which are not. In fact, this entire Agreement makes very little sense. I trust you will do what is right.

Sincerely,
Bozena I.
428 Bayberry Ct.
Englishtown, NJ 07726

MTC-00015963

From: Ron.Milliner@powhatan.k12.
va.us@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

Leave Microsoft alone. They produce a good quality product and by integrating their programs together they provide better services to their customers. Move on to something else.

MTC-00015964

From: jeffrey@selway.umt.edu@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

My comments will be brief. I strongly support the current settlement with Microsoft and urge Judge Kotelly to bring a close to this litigation. The settlement is in the public interest which may be thought of as action that will bring about a greater public good for society. In my view the settlement achieves this noble goal. To drag the settlement out longer cannot help our economy or serve to advance innovation particularly during a time of international crisis and economic recession. If the settlement is not brought to a close the only winners will be attorneys and a few states that want more money more concessions and whose preference appears to be to punish Microsoft beyond what anyone could rationally perceive as fair. Judge Kotelly has a fair settlement to approve. I hope to see this chapter in American history brought to a close and let the courts and nation move on to the more important and threatening affairs that we currently face. There can be little doubt that nation faces far more threatening matters than Microsoft.

Jeffrey Greene
Professor of Political Science
University of Montana.

MTC-00015965

From: Peng Zang
To: Microsoft ATR
Date: 1/23/02 10:24am
Subject: Microsoft Settlement

I think this settlement is a bad idea. It does indeed make an effort in softening the application barrier, however, so many holes exist (eg. API documentation can be changed late in the development stage, or undocumented file formats) that rather much of the power behind the settlement is lost. It is my belief that this settlement will make it harder (or rather take more money, which, I would like to point out that Microsoft has) for Microsoft to maintain the monopoly, but will not prevent the continuation of the monopoly. Stronger measures should be taken. Thank you for your time.

Peng Zang
zangp88@hotmail.com

MTC-00015966

From: awgaskins@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

I believe the current settlement is a very good one. Responsible people have endorsed this settlement. Microsoft has been a leader in the technological industry and has been a major contributor to it's growth. Those who oppose this settlement are not acting in the best interest of our country. I urge the settlement to be approved by everyone concerned. It is in the best interest of our country.

Sincerely
Marvin Risley

MTC-00015967

From: ejmms@aol.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

Lets settle this without wasting more time and money. This has gone on long enough.

MTC-00015968

From: O'Brien, Michael
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:23am
Subject: Microsoft Settlement

Dear Sirs,

I would like to add my comments regarding the Microsoft Settlement. I find the article written by an Austrailian to summarize my thought quite well—found at: http://linuxtoday.com/news_story.php3?ltsn=2002-01-02-002-20-OP-MS The current settlement does nothing to stop, slow or punish the monopoly power of Microsoft. This needs be address.

Thank you
Michael O'Brien
Software Engineer

MTC-00015969

From: danny
To: Microsoft ATR
Date: 1/23/02 10:24am
Subject: Microsoft Settlement

I think the proposed settlement is a bad idea. It does not correct existing anti-trust behavior problems and even provides an opportunity to expand with government approval.

thankyou for your time.

MTC-00015970

From: Robert Thielke
To: Microsoft ATR
Date: 1/23/02 10:19am
Subject: Microsoft Settlement

Renata B. Hesse
Antitrust Division
U.S. Department of Justice

I am writing to express my concern for the Department of Justice proposed settlement with Microsoft corporation. I believe the settlement contains overly narrow definitions of Microsoft products in terms of their restrictions. It leaves out programs like Microsoft Outlook that are ingrained in many corporations. The definitions of API and Middleware leave lots of wriggle room for Microsoft in terms of what they must make available to competitors. I realize it is difficult to pin these things down in the ever changing world of software but I think that more must be done to put some teeth into these rules.

Microsoft has shown a history of not fully documenting API's making it more difficult

for programmers to write software and system managers to maintain it. An effort should be made to ensure there is documentation released for products in a timely manner.

Microsoft's new primary goal of security is a good one. However, if they use it to try to exclude software from third parties they will be locking down their hold on the desktop even further. I definitely do not want to discourage an effort to make systems more secure but Microsoft must still make an effort to share information so that creating drivers for hardware and writing software that runs well with Windows is not so difficult. I believe it is in Microsoft's best interest to pursue the above issues and I hope there would not have to be much enforcement of the settlement. They have achieved a position through illegal business practices that warrants steps be taken to prevent them from further damaging othher businesses.

Thank you,
Robert Thielke
2570 N. 84th St
Wauwatosa, WI 53226

MTC-00015971

From: rick—weiss—cpa@qwest.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

Justice Dept.:

Enough already! The settlement is fair to all so quit fucking around and close it already.

The state attorney generals still fighting this are a bunch of cry baby fucking liberals!!

MTC-00015972

From: rsalexander@satx.rr.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

I believe the proposed settlement is fair and should be accepted. Particularly since I believe the Justice Dept action occurred in large part because Microsoft did not hire an expensive lobbyist or contribute heavily to either political party. I have long wondered why they have not pursued a company like TimeWarner—a total monopoly of practically all media—instead. As a consumer who uses Microsoft products I think the offered settlement should be accepted. In our current economic situation we should not be trying to bring down a great company that is good for the consumer for education and that gives so generously to charity.

MTC-00015973

From: www.Aneycourt@aol.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

Microsoft should be freed from all litigation and allowed to do business in the American way in a capitalist economy country

MTC-00015974

From: falconbridge44@earthlink.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

It is time to stop litigation and get our economy back on line. You do not have to

be a rocket Scientist to figure this out. STOP LITIGATION NOW!!

MTC-00015975

From: Diapadon@webtv.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

I feel the Government was very unfair in prosecuting Microsoft. I fail to see where Microsoft has committed any violation of Federal laws.

MTC-00015976

From: joame36@aol.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

my comment for msft is few egg head try tu run down the best co in the world many foreign co laugh at us the way we handle .so bad

MTC-00015977

From: everett@cwnet.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

Leave Microsoft alone! This market is competitive and I am not aware of any artificial barriers to entry. Already their market share is in danger from many competitors. They must continue to meet consumer demands in order to survive. Take no further action. The settlement is enough.

MTC-00015978

From: dev@aamu.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

Attacking Microsoft to encourage innovation is like having sex to encourage virginity. End this pointless and unwarranted witch hunt now before the damage to our economy gets worse!

MTC-00015979

From: joame36@aol.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

The way the government and judges are handling is bad. leave MSFT alone with out it we have no progress.the world is laughing at US.

MTC-00015980

From: Don Davis
To: Microsoft ATR
Date: 1/23/02 10:24am
Subject: Microsoft Settlement

To whom it may concern:

It appears that the Proposed Final Judgment allows significant anticompetitive practices to continue, and would delay the emergence of competing Windows-compatible operating systems. My opinion is that the Proposed Final Judgment is not in the public interest, and should not be adopted as it presently stands.

1. The PFJ doesn't consider the issue of Windows-compatible competing operating systems.
2. The PFJ contains misleading and narrow definitions and provisions.
3. The PFJ fails to prohibit anticompetitive license terms currently used by Microsoft.

4. The PFJ as written seems to lack an effective enforcement mechanism. You need to toughen it up quite a bit. Examine any proposals from Microsoft with an eye toward how their proposal would restrict the effect of the judgment to smaller contexts and fewer products, and then adjust the language to broaden the effect to more (and future) products and larger contexts.

Regards,
Don Davis / Tel: 937.235.0096

MTC-00015981

From: ragni@webtv.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

The Nation needs to be strong at home as we have much more serious crises to take care of. The settlement proposed by the J.D. is adequate and should be accepted by all parties involved. Let us move on for the good of the Nation and the U.S.economy. V.T.Y.

Anthony Ingargiola

MTC-00015982

From: The Herring
To: Microsoft ATR
Date: 1/23/02 10:24am
Subject: Microsoft Settlement

Dear Sir or Madam:

I'm writing to express my disagreement with the terms of the antitrust settlement with Microsoft. The issue for me is that the settlement, while superficially inflicting a penalty on Microsoft, does nothing to change the firm's behavior from this point onward. In fact, donations of software to schools only help Microsoft to cement its dominance of the desktop operating system market.

Rather than focusing on financial penalties for Microsoft's past activities, the settlement should require the firm to either adopt open standards or publish detailed specifications of its own standards so that any skilled individual can understand them. This would allow interoperability between Microsoft's Windows and Office software and competing products, such as UNIX-based operating systems and Sun's StarOffice. Creating interoperability is a necessary condition for restoring competition in the software industry.

Thank you for your attention to this matter.
Sincerely,
David Geffen

MTC-00015983

From: louisceli@aol.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

I DON T FEEL THAT THE GOVERNMENT SHOULD GO AFTER MICROSOFT. THE CASE SHOULD BE SETTLED AND WE SHOULD STOP THROWING TAXPAYERS MONEY TO ATTORNEYS. MICROSOFT SHOULD NOT BE PENALIZED FOR BEING INNOVATIVE.

MTC-00015984

From: haroldm@netonecom.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

We always thought we had a free enterprise system in this country. We believe

the government s involvement in this was un-necessary.

MTC-00015985

From: KFCrabbtree@aol.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

I tried to understand the legal description of this case but with my limited legal understanding I found myself lost to really understand all the aspects of the judgement.

MTC-00015986

From: Peppeansy@AOL.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

We believe that the government and all the state attorney generals should stop any further action against this great American company. Microsoft is too important a company for the economic health of the entire country the inordinate amount of time and money required to defend itself could have been better used for the development of even better products that benefit the national economy in general and the consumer and the stockholders in particular. Antitrust laws were not enacted to protect other companies let them compete in the free economic arena by offering products whose quality would make them acceptable to the consumer. If they lost in that arena it was because the consumer preferred Microsoft products not theirs! The USA DOJ should not come to the defense of any sore loser who comes to them crying uncle Sam!

MTC-00015987

From: jtgilbert@aol.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

For the good of the country I support the settlement achieved with Microsoft. GET IT DONE.

Thank you.
John T. Gilbert

MTC-00015988

From: jeffnjohn@starpower.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement

As someone who has worked with Microsoft products since the mid 1980s I have seen how marketing muscle has won out over far superior products. It s time for the Microsoft monopoly to end and true innovation to enter the microcomputer market.

MTC-00015989

From: Lawrence
To: Microsoft ATR
Date: 1/23/02 10:24am
Subject: Microsoft Settlement

I think you should not punish Microsoft for being good at business and winning markets over. I am even more encouraged by the whining of their competitors to never use non-Microsoft products ever. We will continue to sell and stand by Microsoft products no matter what the government tries to do to them.

CC:askbill@microsoft.com@inetgw

MTC-00015990

From: njaygold@yahoo.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement
Microsoft was a scape goat. Future technological debuncles will be the proof of the puddin.
Leaders are leaders.

MTC-00015991

From: mossafar@oz.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement
close the case now.

MTC-00015992

From: cshank5585@aol.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement
To whom it may concern
I believe the Microsoft settlement is fair and constructive. Please uphold the settlement.
Charles F. Shank
Clearwater Fl.

MTC-00015993

From: franlindberg@msn.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement
The Microsoft settlement is a fair and reasonable compromise. Settle the Microsoft case.

MTC-00015994

From: severio@peoplepc.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement
stop harraising microsoft let thecknology grow let microsoft make new inventions we need it now dont ruin our economy

MTC-00015995

From: jpderykel51@aol.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement
We don't feel that Microsoft has done anything wrong. The government has done more harm than good.
Microsoft has created innovative products and created thousands of jobs. They should not be punished.

MTC-00015996

From: howlanhr@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement
I am glad that a settlement has been reached. This has gone on too long and a lot of money has been wasted on both sides. I still back Microsoft and think that the states should have never did what they did.
Lets fight the real crime and work on the homeless and teenage crime.

MTC-00015997

From: jonathan@proxy.dmz.orem.
verio.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:24am

Subject: Microsoft Settlement

Under the Tunney Act I wish to submit my comments in regards to the currently purposed Microsoft settlement.

There are many problems with this settlement and I cannot possibly discuss them all with any proper length. I would like to focus on one particular item.

The currently proposed settlement with Microsoft does not prevent Microsoft from continuing the practice of intentional incompatibilities. Microsoft has historically used this practice to protect and extend its monopoly. This behavior was set forth in the 1996 Caldera vs Microsoft lawsuit where the judge ruled in the case that "Caldera had presented sufficient evidence that the incompatibilities alleged were part of an anticompetitive scheme by Microsoft."

Microsoft continues this practice today by making changes to its SMB/CIFS networking protocols to prevent any non-Microsoft OS to be able to interoperate with Windows 2000. In fact, section III(J)(2) of the proposed final settlement actually seems to give Microsoft the continued right to hide and modify these communication protocols.

The proposed final settlement does nothing to prohibit Microsoft from continuing this practice of constantly creating incompatibilities to enhance the Application Barrier of Entry.

Jonathan Call

MTC-00015998

From: ETSU
To: Microsoft ATR
Date: 1/23/02 10:24am
Subject: Microsoft Settlement

I do NOT support the settlement between Microsoft and the DOJ in its current form. I believe that the language used in the settlement proposal leaves to many loopholes which Microsoft has a history of using to continue in their anti-competitive practices.

Charles McMackin
1304 Spring St.
Johnson City, TN 37604

MTC-00015999

From: William Ogus
To: Microsoft ATR
Date: 1/23/02 10:25am
Subject: Microsoft Settlement

Dear Sirs,
I believe that the terms of the proposed Microsoft Anti-Trust settlement are completely inadequate. They are counter to the interests of the American people and the economy as a whole. They do nothing to address the behavior that Microsoft has been convicted of. They neither punish past behavior sufficiently nor do they prevent similar behavior in the future.

This is a bad settlement.

MTC-00016000

From: Andrew Lundberg
To: Microsoft ATR
Date: 1/23/02 10:24am
Subject: Microsoft Settlement
I am writing to let you know that I think the proposed settlement is a bad idea.
Andrew Lundberg, PhD
Staff Engineer
Equinox Corporation
Baltimore, MD

lundberg@equinoxsensors.com

MTC-00016001

From: Pete Flugstad
To: Microsoft ATR
Date: 1/23/02 10:21am
Subject: Microsoft Settlement

The proposed final judgement does absolutely NOTHING to punish Microsoft for past anti-trust violations, and does NOTHING to prevent more anti-trust violations in the future. It's a joke, written BY Microsoft lawyers, FOR Microsoft, and rubber stamped by the DOJ. It's a tremendously bad idea and will set competition in the computer field back by decades.

Pete Flugstad
Iowa City, IA

MTC-00016002

From: Eric Carlson
To: Microsoft ATR
Date: 1/23/02 10:24am
Subject: Microsoft settlement

To whom it may concern—
The proposed Microsoft settlement is unacceptable in its current form.

The settlement does not adequately penalize Microsoft for its past infringements of the law. For many years OEMs have been under control of Microsoft, and simply "formalizing" this law in a document is not enough. Microsoft has been declared guilty of past wrongs, and must now be held accountable.

Thank you for your time.
Sincerely,
Eric Carlson
2901 Ashby Ave
Berkeley, CA 94705

MTC-00016003

From: Nathan W. Labadie
To: Microsoft ATR
Date: 1/23/02 10:05am
Subject: Microsoft Settlement

After reading over the proposed settlement for the Microsoft case, I'd like to say I am in complete disagreement with the proposed solution. Microsoft is a company that has done irreparable damage to the computer industry as a whole. This is nothing more than a slap on the wrist to them.

Nathan W. Labadie
Sr. Security Specialist
Wayne State University
ab0781@wayne.edu
313/577.2126
313/577.1338 fax
C&IT Information Security Office: <http://security.wayne.edu>

MTC-00016004

From: maemae@myexcel.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:16am
Subject: Microsoft Settlement
Please accept the settlement agreed to by Microsoft. I feel this is a fair settlement and it is time to let technology start working again. We cannot stand anymore litigation.
Thanks
MLH

MTC-00016005

From: tc100@mediaone.net@inetgw
To: Microsoft ATR

Date: 1/23/02 10:16am

Subject: Microsoft Settlement

I am not a Microsoft stockholder and do not even use Internet Explorer very often but I support the Dept. of Justice settlement. The anti-trust suit against Microsoft was a politically motivated abuse of the law by Microsoft's competitors who attempted to use the DOJ to win what they could not win in the marketplace.

The proposed settlement preserves Microsoft's ability to continue to innovate. Microsoft has been largely responsible for making the world of computers accessible to the average person and should be encouraged instead of being persecuted by the US government. The nine States that are resisting this settlement including Massachusetts are performing a legalized extortion and deserve to be condemned.

Sincerely

Anthony Conte

MTC-00016006

From: Jacob Rose

To: Microsoft ATR

Date: 1/23/02 10:25am

Subject: Microsoft Settlement

Greetings and thank you for reading my comments.

As a citizen who has been burned again and again by Microsoft's anti-competitive practices, I feel the Proposed Final Judgement is inadequate in addressing Microsoft's egregious behavior.

Both in my former capacity as a local government computer systems manager and as an individual citizen, I have been forced to spend taxpayer money and my own money to buy Windows licenses when Windows was not even a product my department or I required or wanted. I have seen applications which used to function on competing operating systems, such as Microsoft Office on OS/2, drop support. I have seen important applications software such as Internet Explorer weaseled into dominance by Microsoft using their desktop OS monopoly, and then be deliberately withheld from a competing OS like Linux, even though it is made available for non-threatening Solaris, which is so very compatible with Linux that many Linux applications run unmodified on it. I have seen all competition systematically wiped out of local government by steadily expanding license agreements, as Microsoft positioned its products to be completely interdependant and completely incompatible with its competitors. These competitors range from former heavyweights like Novell, WordPerfect, Borland, and briefly, Netscape, to longtime educational giants like Apple Computer, which pioneered personal computing. All have been swept aside not by better products, but by Microsoft's clever—but illegal—business practices.

I believe that Microsoft will find ways to weasel out of the Proposed Final Judgement which has been drafted, in part due to its specificity. It must be generalized to describe Microsoft's practice of proprietization which Microsoft calls "Embrace and Extend."

Public standards are the root of the Internet itself; it would not have been possible for the Internet to exist, sharing data amongst thousands of different types of computers,

from digital telephones to mainframes and supercomputers, without the system of public "RFC" standards. Microsoft's "Embrace and Extend" policy is simply to make their software compatible with these RFCs, and other standards developed publically (often at public expense), and then introduce specific incompatibilities to make non-Microsoft software fail, often at the same time that new features are added to the Microsoft software that require the tainted upgrade. To meet this challenge, you must force the *interface*—any interface—which Microsoft defines or employs, now or in future, to be public domain, published and available for use without limitation. This must include all file formats, APIs, communication protocols, and interpreter specifications.

These interfaces are the very essence of compatibility: For competition to exist in the applications area, competitors must be able to read Microsoft files to be able to offer products that can be used concurrently with Microsoft products, and they must be able to take advantage of the same Windows services (API) that Microsoft itself uses in its products.

For competition to exist in the operating systems area, competitors must be able to replicate the functionality of the Windows API reliably so that products written for Windows may operate elsewhere. Finally, for competition to continue in the Internet realm, the protocols and interpreters that are used by Microsoft products must be available to those who would create applications and services that talk to these Microsoft applications.

Since Microsoft has already decimated the innovative space that was the web browser market, the Web itself is already changing to conform to just one browser; Microsoft's. Many sites no longer function in other browsers, which face the Sisyphean task of duplicating Microsoft's ever-changing Javascript interpreter without its (ever-changing) specifications. Where do you think the Internet will be in a decade, if Microsoft's interfaces remain undisclosed, or even partially proprietary? I can tell you: all the hot new services of the future will operate using proprietary Microsoft protocols, and anyone who wants to compete in the online services market will have to accept Microsoft's license terms and write systems that only run where Microsoft wants them to run, because the potential customers will all be locked into a system of Microsoft products.

Microsoft has made its interfaces de-facto standards, and you must now make sure that they face that fact by converting them into complete and public standards.

Thank you,

Jacob Rose

A voting citizen from Fairfax, Virginia, 22033, U.S.A.

MTC-00016007

From: jonathan@killobyte.com@inetgw

To: Microsoft ATR

Date: 1/23/02 10:25am

Subject: Microsoft Settlement

I am writing to give my opinion of the proposed Microsoft Settlement, as allowed under the Tunney Act.

I do not believe the settlement in its current form does enough to redress the wrongs that Microsoft as a company has done in the past, nor does it prevent similar wrongs in the future. Specifically, its ability or inability to function as a destructive monopoly. Please revise the settlement so that competition in the "desktop", "browser", "office suite" and other markets, can be restored.

Thank you,

Jonathan Haskins

Web Designer

Los Angeles, CA

MTC-00016008

From: crm14e@optonline.net@inetgw

To: Microsoft ATR

Date: 1/23/02 10:16am

Subject: Microsoft Settlement

The government should not restrict product innovation. This should be decided by the markets. If a Corporation produces a superior product consumers and corporate users will purchase the product.

Government intervention should be limited.

MTC-00016009

From: jprandisi@cs.com@inetgw

To: Microsoft ATR

Date: 1/23/02 10:16am

Subject: Microsoft Settlement

I think that the case against Microsoft should be brought to a quick and final conclusion. I recommend the current settlement. Thanks.

MTC-00016010

From: dmgreene@ucla.edu@inetgw

To: Microsoft ATR

Date: 1/23/02 10:16am

Subject: Microsoft Settlement

I am a Pre-Economics major at UCLA. I am a user of Microsoft products and they seem fairly priced.

My observation is that the anti-trust litigation brought against Microsoft has not been good for consumers. Furthermore I feel it negatively impacted the economy of the United States. And the sooner this matter can be settled the sooner our economy and country can move forward.

MTC-00016011

From: ehickson.geo@yahoo.com@inetgw

To: Microsoft ATR

Date: 1/23/02 10:16am

Subject: Microsoft Settlement

I can't say that I'm sorry to hear that Microsoft has lost a little ground but as everybody knows Bill Gates pretty much stole the software from his once partner and as they say What goes around comes around. As far as I'm concerned Bill Gates has been allowed to have too much go on and thought that he wouldn't get caught at it. If only the penalty toward him could be greater I don't think too many people would shed a tear over his loss!

MTC-00016012

From: cornedog@bellsouth.net@inetgw

To: Microsoft ATR

Date: 1/23/02 10:16am

Subject: Microsoft Settlement

Dear Sirs

I find it difficult to discuss the settlement when I never agreed with the merits of the lawsuit. It troubles me that we are able through mechanisms beyond my control to tear down a company that has done no wrong except outperform all others. Whenever I think of Americans trying to rip down Microsoft I am reminded of the novel Atlas Shrugged. Where would our business and manufacturing efforts be if Microsoft pulled a John Galt or a (?) Reardon and just left the face of the earth? And we were all so worried about Y2K at least then Microsoft was there to help us. Imagine every server and pc running a Windows variant not having a bit of manufacturers support tomorrow? Yet as troublesome as a picture that lends many of us are trying to do just that. In summation short of the suit never seeing the courthouse steps any action against Microsoft is too much!

Thank you for your time.

MTC-00016013

From: tonyfriendly@iscweb.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:16am
Subject: Microsoft Settlement

This has been the biggest waste of time and money. At the most MS should have been issued a cease and desist. They are big boy company that has provided a lot of wealth for many began and industry and has made Seattle a versatile city and not being dependent on Boeing. Perhaps there are a few winners out there that could not compete but for heaven sake lets get on with this. We need to get our economy going and stop worrying the outcome of MS and will this mean the JD is going to examine everything that is done in American free enterprise business.

MTC-00016014

From: garypjones@earthlink.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:16am
Subject: Microsoft Settlement

I understand that Microsoft was found guilty of a couple of anti trust violations. I believe that the proposed settlement (that has been accepted by the DOJ and nearly half of the At. Gen s) is above and beyond what is due for violations of the arguably outdated Sherman Act. It is time to settle this case and get it behind us as Americans and as a country—and focus on more important and obvious violations against our Nation.

MTC-00016015

From: JOSEPHWL@msn.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:16am
Subject: Microsoft Settlement

I feel the settlement is rather hard on Microsoft when one considers that the suit should never have been bought in the first place. But if Microsoft is satisfied I guess it is okaye.

MTC-00016016

From: maddog338@home.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:16am
Subject: Microsoft Settlement

I think that the government should leave Microsoft alone. All that they have done is waste the tax payers money. Microsoft is only

done what every company has done. Is the government going to go after AOL or Exxon or some of the other companies that have gotten big ? No they won't

MTC-00016017

From: Goldengatehats@cs.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:16am
Subject: Microsoft Settlement

In my business I use some Microsoft products as well as their competitors products. In particular I prefer a word processing program made by Corel. I last paid over \$300 for the program. A similar Microsoft product came with my computer for free. How are consumers being hurt by Microsoft? This litigation against Microsoft seems ridiculous and should be settled immediately in order to save taxpayer dollars benefit consumers and inevitably help our economy. Settle now!

MTC-00016018

From: eagle1941@yahoo.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:16am
Subject: Microsoft Settlement

Every time I think this is settled I hear someone else doesn't want to accept the settlement.

Enough already. I think this whole thing was blown out of proportion from the start. Accept the settlement and get back to business.

MTC-00016019

From: leo244@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:16am
Subject: Microsoft Settlement

We would like to take a stand on solving the Microsoft case.

MTC-00016020

From: mvwolf@juno.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:25am
Subject: Microsoft comments

I have tried both netscape and microsoft web browsers. It turned out that microsoft has a more friendly and consistently performing program. There is nothing to prevent people (like us little users) from making their own choice. If AOL can't be competitive on the performance of their system, Then boot them out of our legal system with all their hassle suits

M. Wolf

mvwolf@juno.com

MTC-00016021

From: herb-nancy@worldnet.att.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:17am
Subject: Microsoft Settlement

I believe the case filed against Microsoft was initiated by competitors who are locked in a fierce competitive industry which needs far less federal meddling. I also believe this act precipitated the tech meltdown. I suggest less interference from government on all levels. I also want the government to downsize. Comment: All industry has benefitted by applying computer technology except the government which indeed did add computers but it continues to grow so fast

that it's size rivals private industry. If this case is dropped or settled promptly it could be the catalyst to haul the country out of the recession.

MTC-00016022

From: Steven DeVault
To: Microsoft ATR
Date: 1/23/02 10:38am
Subject: Microsoft Settlement

The current remedies proposed in the DOJ v. MS trial are laughable. As an american citizen and software developer, I have suffered firsthand due to MS's juggernaut design tactics. Microsoft's power as a corporate gatekeeper is unacceptable, and threatens the stability of the global marketplace.

Punish them, while you still can.

No Peace Without Justice.

Steven DeVault

10600 Bloomfield Dr. #1029

Orlando, FL 32825

MTC-00016023

From: chipan413@aol.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:16am
Subject: Microsoft Settlement

government should leave microsoft alone.

MTC-00016024

From: mehbud@yahoo.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:16am
Subject: Microsoft Settlement

Please end the litigation against Microsoft in Microsoft's favor. Help the economy by not persecuting Microsoft.

MTC-00016026

From: mgfredkick@hotmail.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:17am
Subject: Microsoft Settlement

I feel it is about time for the case to disappear from the lime light. The settlement of the case is only in the public's interest it will save the taxpayer money Microsoft can focus on its job innovate bring new and better technology to market provided tech jobs earn tax dollars help provide a more favorable trade balance etc. The special interest that opposes the settlement have the same right as microsoft to build a better mouse trap. Thanks for listening

M.G. Fred Kick

MTC-00016029

From: root@localhost.localdomain@inetgw
To: Microsoft ATR
Date: 1/23/02 2:19am
Subject: Microsoft Settlement

Do not sell us out to Microsoft. Please!

Robert Lorenzini Pres

Newport Harbor Net

MTC-00016030

From: kshedd@indy.rr.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:17am
Subject: Microsoft Settlement

I am encouraging the courts to settle with Microsoft under the proposed agreement. I think Microsoft has benefitted the economy and the country and should not be punished for that.

MTC-00016031

From: bikesarelife@yahoo.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:17am
Subject: Microsoft Settlement

I believe that it is time for the Federal government to stop listening to the whining of companies that can't compete due to their ineptitude. Capitalism is driven by companies that produce the best product for the best price which Microsoft clearly does. Its time to drop this foolishness and quit wasting the taxpayers money.

MTC-00016032

From: dyankee@chartermi.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:17am
Subject: Microsoft Settlement

I AM IN TOTAL FAVOR OF THIS SETTLEMENT !

MTC-00016033

From: TS@hazleton.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:17am
Subject: Microsoft Settlement

It is my view that this settlement with the Federal Government and state attorneys is fair. I feel there should be no further sanctions against Microsoft these sanctions are enough and are just to all parties involved.

MTC-00016034

From: drwho38@bellsouth.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:17am
Subject: Microsoft Settlement

I truly believe it is in the best interest for the Country and also myself for the Federal Government to end this case against Microsoft as soon as possible. I see no purpose and especially no value to the people of the USA in destroying a well run company that has done absolutely nothing illegal. Being aggressive and competitive is not against the law the last time I checked. Please end this matter NOW.

John J. Pritchard

MTC-00016035

From: stetse@norharundel.org@inetgw
To: Microsoft ATR
Date: 1/23/02 10:17am
Subject: Microsoft Settlement

Dear Renata Hesse:

As a citizen of the United States of America from the state of Maryland I would like to urge you to settle the antitrust case with Microsoft. The settlement that was reached between the federal government and microsoft on November 3 2001 in my opinion was a fair and reasonable compromise. As a IT professional working in a hospital there are more pressing issues that needed to be addressed than this antitrust case. Seeing relatives and friends became unemployed recently because of the declining economy makes settlement of this antitrust case more urgent and necessary.

Sincerely
Stephen Tse

MTC-00016036

From: ribozo@hotmail.com@inetgw

To: Microsoft ATR
Date: 1/23/02 10:17am
Subject: Microsoft Settlement

I DO NOT support the current settlement. Microsoft should be broken up in the public interest. Thank you.

MTC-00016037

From: Stephen Mencik
To: Microsoft ATR
Date: 1/23/02 10:26am
Subject: Microsoft Settlement
To: microsoft.atr@usdoj.gov
Subject: Microsoft Settlement
To: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement. I agree with the problems identified in Dan Kegel's analysis (on the Web at <http://www.kegel.com/remedy/remedy2.html>).

I also agree with the conclusion reached by that document, namely that the Proposed Final Judgment as written allows and encourages significant anticompetitive practices to continue, would delay the emergence of competing Windows-compatible operating systems, and is therefore not in the public interest. It should not be adopted without substantial revision to address these problems.

Stephen Mencik
1002 Red Harvest Road
Gambrills, MD 21054

MTC-00016038

From: Emery Ford
To: Microsoft ATR
Date: 1/23/02 10:26am
Subject: Microsoft Settlement

The settlement does not do enough to punish Microsoft for its anti-competitive behavior. Nor do the remedies seem particularly effective, especially considering that Microsoft has a track record for interpreting such laws according to their own interpretation.

Sincerely,
Emery Ford, Software Developer
Kensington, MD 20895
H.Emery Ford
emery—ford@bigfoot.com

MTC-00016039

From: nancid6652@aol.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:17am
Subject: Microsoft Settlement

I wish our Iowa Attorney General would focus his time and resources on the good state of Iowa instead of trying to promote his good name at the expense of taxpayers. This law suit has gone on long enough and needs to end. People like Tom Miller have made Microsoft out to be a bad guy when there products have revolutionized business and home computing. We Americans have a choice to buy any product we also have the choice not to buy. May be Tom Millers and his State Cronies should spend there time on the likes of Enron and Arthur Anderson.

MTC-00016040

From: briijones@qwestinternet.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:17am
Subject: Microsoft Settlement

I am a retired senior citizen that was employed for many years in industry. The accusations brought against Microsoft by our justice department never seemed to ring true in my mind. I had witnessed in the working world the productivity improvements of Windows Word and Excel. It appeared to me that a group of almost great companies such as AOL Time Warner Sun Etc. had conspired to limit or slow down the progress of Microsoft. As our government and nine other states have settled I ask with the economy in the worst shape it has been in years with little or no help from our government. Should the AGof a few states be putting our economic recovery at risk because they dont agree with what was a more than fair settlement?

Brian W Jones

MTC-00016041

From: Matthew Strait
To: Microsoft ATR
Date: 1/23/02 10:35am
Subject: Microsoft Settlement

I believe that the proposed settlement does not adequately address the problem of the Microsoft monopoly and the harm it does to the quality of software.

Sincerely,
Matthew Strait

MTC-00016042

From: Sean Corliss
To: MS ATR
Date: 1/23/02 10:25am
Subject: Microsoft Settlement
To Whom it May Concern:

I almost decided not to submit my comments regarding this antitrust suit, since I've practically given up hope that Microsoft might actually become a positive corporate member of the United States, and I personally feel powerless to change their behavior. I've been working in the computer industry for about 8 years. before I was computer literate, I actually started out very pro-Microsoft. I've been watching this case very closely.

I have come to realize that Microsoft is currently a huge liability to the future of our country. I've concluded that they have and will continue to erode the spirit, which founded America as a land of opportunity. They have abused the system, and have made it extremely difficult for individuals to live in a Microsoft free environment. Every day it takes more effort to keep Microsoft out of my home life. Be assured that they will continue to dominate other markets even as they continue to delay these proceedings. .Net platform, X-Box, Passport, IE, and other Microsoft initiatives will convince illiterate consumers that Microsoft has their best interest at heart. After all, they are selfless enough to donate \$1 billion dollars to the education market!

I strongly urge you to reject the proposed settlement, the language of which comes from Microsoft's own lawyers. This settlement will only justify Microsoft's

actions when it attempts to force the open source movement to its death, since the settlement allows Microsoft to determine the meaning of "viable business". This settlement only strengthens Microsoft's "delay and deny" tactics, since the oversight committee has only the illusion of actual power to keep Microsoft from continuing its illegal practices. Who would have thought that one word "bundling," would have been the undoing of the last antitrust settlement?

In conclusion, did you ever hear the story about the scorpion that asked the frog for a ride across the water? When the frog asked why the scorpion had stung it, midway across the river, the scorpion replied, "It's in my nature."

It's also in Microsoft's nature to abuse the spirit of our legal system for its own purposes. They have shown many times that they cannot be trusted, and will continue to abuse it's monopoly. Microsoft knows that we will not hurt them. Many believe that hurting Microsoft will hurt our economy, security, and stability of our country. This only reinforces the urgency to foster alternative solutions, so that our country does not experience a "single point of failure," as well as enhancing consumer choice.

I strongly urge you to objectively reject the proposed antitrust settlement, with all of your heart and mind.

Sincerely,

Sean Corliss

Sr. Support Analyst/Web developer

MTC-00016043

From: Steven Lewis Maxson

To: Microsoft ATR

Date: 1/23/02 10:24am

Subject: Microsoft Settlement

Dear Sirs and Madams,

I very strongly believe the proposed settlement in the Microsoft antitrust case is a travesty of justice: When was the last time you heard the loser in a case (which is essentially a criminal trial) call the outcome fair? Below I will add some factual basis for my opinions.

1. I have an acquaintance who was an officer at IBM when the Internet Explorer web browser first was released "for free". (He is now a vice president at IBM.) When he joined management at IBM, he was given some antitrust schooling, and part of their advice was "if you ever give anything away for free, plan on spending the rest of your life in jail". At that time, IBM had only about 60% market share, or a much smaller market share than Microsoft has. The clear presumption is that when a market leader gives things away for free that directly compete with a competitor's product, they are trying to destroy the competitor. You should be starting criminal antitrust proceedings against Microsoft management, not letting the company off of the hook.

2. The fact that the Internet Explorer web browser is tightly integrated into their operating system product makes all computers using Windows and Internet Explorer more vulnerable to remote exploits ("cracking"), even when the web browser is not in use. This is well known in the computer security community, and it is well known than with this degree of integration

there is no way whatsoever of making such computers even approximately or reasonably secure. By permitting "tight integration" of their web browser into their operating system, you leave the world naked to computer hackers, crackers and terrorists. These matters are not talked about in public, but every computer connected to the internet and using the Microsoft Windows operating system products with tightly integrated Internet Explorer web browser intact is naked to the world and it is not possible, even in principle, to make them secure against remote exploit. (We have been fortunate so far that no really low level exploits have been developed and/or deployed against the Windows/IE vulnerabilities, as this would probably be the death of the internet.)

3. Integration of the web browser into the operating system is largely irrelevant from the perspective of providing customer service and features which customers desire. There are well known ways of providing "facile interoperability" which do not go as far as direct tight integration. I have indicated above that the mere presence of a web browser *within* the operating system raises well known inherent security risks. (You not only have the web browser as a pathway into the very heart of the machine itself, but its incorporation in the heart of the machine means you are necessarily precluded from taking other protective measures any reasonably prudent operating system designer would include in his design. This means that there are necessarily going to be ways to take control of a Windows/IE machine which is connected to the internet without sending an email and without the user visiting a hostile site, etc.). Web browsers are notorious for the new exploits always being discovered for them, and this means the consequences of visiting a hostile website on the internet can be far more serious for a Windows/IE user. Tight integration also increases the possible seriousness of the consequences of computer viruses, worms, trojans and other hostile agents.

4. The conclusion is that the tightly integrated web browser's sole function is to destroy competition, since it is not necessary for providing customers features and services which might be desirable, it incorporates many features which are hazardous to the customer's interests and the computer using community as a whole, and since it violates good design principles and derogates security simply by its existence.

5. In addition to the tight integration of web browsers into the operating systems issue (which was the pre-eminent issue of the trial, as I understand it), the general lack of documentation and the widespread existence of undocumented features in the operating system products is a substantial barrier to competition raised by Microsoft, which was found to be a monopoly. Even if the Internet Web browser were to be removed from its position of tight integration into the various Windows operating systems, a competing browser (Netscape, for instance) would never be able to obtain competitive "facile interoperability" with other software on the computer if that facile interoperability depends in large part on otherwise

undocumented features of the operating system. No product, however well designed and implemented, will be able to offer the same level of ease of use and performance if there are significant undocumented features of the operating system such as there are today.

The essence of the antitrust laws is to preserve competition, and nothing in the proposed settlement does this.

Respectfully submitted,

Prof. Steve Maxson

DEpartment of Physics

University of Colorado at Denver

MTC-00016044

From: Matthew Rechs

To: Microsoft ATR

Date: 1/23/02 10:25am

Subject: Microsoft Settlement

I'm writing to express my concern and alarm at the terms of the proposed Microsoft settlement. As a computer software professional, a PC owner, and a software and operating systems consumer, I believe that the Microsoft monopoly has done a great deal to harm consumers. I feel that the remedies proposed by the settlement will fall far short of punishing the company for its actions, and fails to deny the company the benefits of its illegal behavior.

Furthermore, the proposed remedy fails to address Microsoft's continued use of onerous and restrictive licensing terms. Most importantly, it fails to adequately define the many of the terms and provisions, to the extent that the company will easily be able to avoid many of the most effective consequences of the settlement.

It is not in the public interest to adopt this settlement until these any other problems are resolved.

MTC-00016045

From: jcelie2@home.com@inetgw

To: Microsoft ATR

Date: 1/23/02 10:17am

Subject: Microsoft Settlement

Settle as proposed.

MTC-00016046

From: carlclifton@hotmail.com@inetgw

To: Microsoft ATR

Date: 1/23/02 10:17am

Subject: Microsoft Settlement

Settle now and move on. This whole trial was ridiculous.

MTC-00016047

From: Gabriel Winter

To: Microsoft ATR

Date: 1/23/02 10:27am

Subject: Microsoft Settlement

To whom it may concern:

I am a partner and senior developer in a small startup company that is developing a web application technology for multiple platforms. We are one of many small businesses that are working hard to develop retail software products that will provide the industry with much needed software innovation. At the moment, we have spent hundreds of thousands of our personal dollars to fund the development of a technology that will run on multiple operating systems using Sun's Java technology. As part of our plan, we are

targeting a release to the Microsoft Windows family of operating systems.

With the release of Microsoft .NET, and the refusal of Microsoft to ally with Sun Microsystems in support of its Java product, the Java application support in Windows XP is sketchy at best. Microsoft has made it necessary for our customers on Windows to download a Java Plugin from Sun Microsystems for our software to run on that system. Due to the application barrier to entry that Microsoft uses, there is much industry doubt as to the stability and reliability of the Sun Java Plugin for Windows XP.

This doubt, generated by Microsoft's clear domination of the operating systems market, absolutely hinders my company's abilities to market our technology to Windows users, effectively cutting us out of the Windows desktop market before we have even had a chance to get started.

Microsoft's answer to this is to tell us to develop our technology with Microsoft's .NET tools, which are only supported on Windows platforms. By doing this, our product would no longer interoperate with other operating systems and web browsers such as Netscape Navigator, again, considerably hurting our entry into especially the web hosting market which primarily uses Linux and Apache servers.

Microsoft has basically stated that we either comply and conform only to their own development technologies, or lose the Windows server and desktop markets completely, effectively putting us out of business.

I disagree with the current proposed settlement, because I feel that it does not provide an adequate "leash" on Microsoft. I believe that companies with alternative development technologies such as Sun Microsystems or Borland be given the same level of development support from Microsoft as its own development tools, such as .NET, are afforded. Only by doing so will be guaranteed of a safe market entry with our own Java based products.

Thank you!

Respectfully,

Andy Carrasco

CIO/Chief Software Architect

Chirasu Corporation

gabrielwinter@mac.com

MTC-00016048

From: adesmara@bellsouth.net@inetgw

To: Microsoft ATR

Date: 1/23/02 10:17am

Subject: Microsoft Settlement

Microsoft has been make a joke at the justice since the first indictment in 1993. Now they are punish by keeping the status quo. As a monopoly company they control the software market. Next thru their software they will control how any hardware will work and they will charge the people for that product as they wish. The infrastucture of the business software is Microsoft. Try to use another operation system & a none microsoft suite. I hope you will inject more competition in the system then we have now.

MTC-00016049

From: dex dexty

To: Microsoft ATR

Date: 1/23/02 10:26am

Subject: Microsoft Settlement

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at or above 30%). This must be true for all Microsoft product lines, before regulation is lifted. Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition. Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.

MTC-00016050

From: David Stokes

To: Microsoft ATR

Date: 1/23/02 10:28am

Subject: Microsoft Settlement

I am writing to speak out AGAINST the proposed Microsoft settlement.

I am a professional computer system administrator so I am familiar with computers and the computer industry. I see the adverse effects of Microsoft's monopoly practices on the industry.

I have read the proposed settlement and I am convinced it does not serve the interests of the American public, is harmful to the American economy, and does not promote justice given the facts of the trial. Another high-tech industry—computer processor chip manufacturing—currently enjoys heated competition between rival companies competing on equal footing. As a result consumers have enjoyed rapid innovation and lower prices. This competition, and the benefits for consumers, does not exist in the computer operating system market. As a result consumers wait longer for innovation and pay higher prices.

The DC Circuit ruled that a remedy must "unfetter [the] market from anticompetitive conduct" and . . . "terminate the illegal monopoly," but the DOJ deal does nothing to restore competition with Windows. Nor does the settlement contain provisions directed towards new markets where Microsoft is using the same bundling and restrictive practices to preserve and extend its monopoly.

Companies that attempt to offer competing products are not given a chance to fairly compete. The failure of these companies results in lost jobs, lost revenue, and lost activity in the U.S. economy. Fair competition is the essence of the free enterprise system. Economic history has

shown time and again that the absence of fair competition is bad for the economy as a whole.

As a point of justice, a criminal should not be allowed to keep his ill-gotten gain. The appeals court has verified that Microsoft's activities are illegal. There is nothing in the proposed settlement that addresses the issue of these ill-gotten gains, or how these will be reimbursed to the public from whose pockets they came. This simple omission easily amounts to billions of dollars, and by itself makes the settlement a sellout of the public interest, even without an assessment of its other shortcomings.

A better remedy is needed. A more effective remedy would be one that required Microsoft to standardize and publicize the entire set of Windows APIs and the file formats of its Office applications with the express goal of allowing competitors to build Windows software applications, and operating systems, that compete with Microsoft on a level field.

The outcome of this case will have a huge effect on the American economy for years to come. The proposed settlement will allow Microsoft to continue with most of their illegal practices, harming consumers and the national economy along the way. A stronger remedy will allow competition, and give consumers free choice and better prices. Therefore, a stronger remedy than the proposed settlement is needed.

Thank you for the chance to comment.

David Stokes

4009 Inwood Drive

Durham, NC 27705

MTC-00016051

From: Bryan Walker

To: "microsoft.atr(a)usdoj.gov"

Date: 1/23/02 10:28am

Subject: Microsoft Settlement

Please reconsider the proposed settlement with Microsoft. The wording that includes only "for profit" organizations will limit the ability of the open source community to share in the knowledge about Microsoft products. Without this it will be impossible to produce low cost alternatives to this monopoly.

Bryan Walker

Solutions Architect

Harrah's Entertainment, Inc.

(901) 537-3851

bwalker@harrahs.com

MTC-00016052

From: Richard Bullington-McGuire

To: Microsoft ATR

Date: 1/23/02 10:29am

Subject: I oppose the Proposed Final Judgement

The Proposed Final Judgement in United States v. Microsoft does not offer adequate relief to the plaintiff and the American people. Its definitions of how Microsoft must share API information with its competitors are too narrowly tailored.

It fails to consider Windows-compatible operating systems, and allows Microsoft to stifle the development of Open Source software by imposing restrictive licensing terms on its APIs and software development kits. The definition of Windows is too

restrictive—it should extend to all Microsoft Win32 API implementations, including Windows CE and the Xbox. The settlement should address more of the issues raised in the findings of fact, including disclosure of file formats that form part of the Applications Barrier to Entry (See “Findings of Fact”, ?20 and ?39).

A summary of the major defects in the settlement (and some proposed amendments) may be found here:

<http://www.kegel.com/remedy/remedy2.html>

Overall, the settlement is not in the public interest and I urge the court to reject the Proposed Final Judgement.

Richard Bullington-McGuire
<rbullington@obscure.org>

Fearless Leader of The Obscure

Organization <<http://www.obscure.org/>>

PGP key IDs: RSA: 0x93862305 DH/DSS: 0xDAC3028E

MTC-00016053

From: Stuart Stock

To: Microsoft ATR

Date: 1/23/02 10:27am

Subject: Microsoft Settlement

I am a Computer Security engineer with 8 years of experience in various computing fields. I would like to comment on the Proposed Final Judgement (PFJ) Section III “Prohibited Conduct” Paragraph E regarding the licensing of “Communications Protocols”.

This paragraph’s intention appears to counter the practices of “embrace and extend” in which Microsoft perverts an industry standard protocol by adding proprietary and undisclosed extensions.

The settlement terms are too vague and too lenient. Specifically: “Microsoft shall make available for use by third parties, for the sole purpose of interoperating with a Windows Operating System Product...any Communications Protocol that is...used to interoperate natively (i.e., without the addition of software code to the client operating system product) with a Microsoft server operating system product. “ This language allows Microsoft to hold back key protocols from initial product distribution and then provide them as “Service Packs”, updates, or new products bypassing the intent of the above paragraph. More disturbing is the separations of “client” and “server” made in the above language. Not all protocols have a client and server paradigm, yet they remain important. Peer-to-Peer protocols are an excellent example of a fundamental protocol not covered by the above PFJ language.

My proposed revision to Section III.E is: “Starting nine months after the submission of this proposed Final Judgment to the Court, Microsoft shall make available for use by third parties, for the sole purpose of interoperating with a Windows Operating System Product, on reasonable and non-discriminatory terms (consistent with Section III.I), all Communications Protocols utilized to transmit data to or from a Microsoft product.

MTC-00016054

From: David Wiebe

To: Microsoft ATR

Date: 1/23/02 10:29am

Subject: Remedies flawed

To whom it may concern;

I believe the remedies are flawed for two reasons:

1) They do not adequately ensure that Microsoft will follow industry standards. As shown in the Findings of Fact, Microsoft has repeatedly subverted standards to their benefit with significant damage to their competitors.

2) They do not adequately penalize Microsoft for their actions over the past 15 years. I recognize that given the temporal nature of software it is very difficult to determine actual damage to competitors and their shareholders, but am convinced that Microsoft will only change their actions if it affects their bottom line. I would have expected some attempt to determine actual damages and punitive damages. Somehow Microsoft needs to come out of this suit less well off than if they hadn’t done the anti-competitive actions in the first place.

David Wiebe
309 W 11th St.
Newton, KS 67114
(316)-284-0578

MTC-00016055

From: ron@corbey.com@inetgw

To: Microsoft ATR

Date: 1/23/02 10:28am

Subject: Microsoft Settlement

I am writing to express my reservations regarding the proposed Microsoft settlement. Specifically, I am afraid that the proposed settlement would not significantly change Microsoft’s ability to maintain and abuse a monopoly position.

I would propose that the single best remedy to allow a level playing field in the computer software industry would be to require Microsoft to publish complete specs of any interface, communication protocol, or file format used by Microsoft software that is not a format already considered an “open” format as documented in an RFC.

I am concerned that the language in the proposed settlement at this time would discriminate against non-profit groups, and open source in general.

Thank you for your consideration.
Ron Pedde
401 Isom Road
Suite 500
San Antonio, TX
78216

MTC-00016056

From: ekj@Hex2.privnet.uib.no@inetgw

To: Microsoft ATR

Date: 1/23/02 10:30am

Subject: Microsoft Settlement

Dear Sirs !

I am a student of Computer Science, and a programmer. I write to you in order to point out several gross problems with the proposed settlement for the Microsoft case.

According to the Court of Appeals “a remedies decree in an antitrust case must seek to ‘unfetter a market from anticompetitive conduct’, to “terminate the illegal monopoly, deny to the defendant the fruits of its statutory violation, and ensure

that there remain no practices likely to result in monopolization in the future” (section V.D., p. 99).” The proposed settlement does none of this, if anything it further strengthens Microsoft monopoly, and does not in any significant way hinder them from continuing their illegal business-practices. Nor does it significantly lower the barriers to entry.

I urge you to reconsider this ineffective remedy.

Sincerely,
Eivind Kjo-rstad

MTC-00016057

From: Young, Paul

To: “microsoft.atr(a)usdoj.gov”

Date: 1/23/02 10:29am

Subject: Microsoft Settlement

The following is my complaint against the Microsoft Settlement:

Failure to address Ill Gotten Gains

Completely missing from the proposed final order is anything that would make Microsoft pay for its past misdeeds, and this is an omission that must be remedied.

Microsoft is hardly a first time offender, and has never shown remorse for its conduct, choosing instead to repeatedly attack the motives and character of officers of the government and members of the judiciary.

Microsoft has profited richly from the maintenance of its monopoly. On September 30, 2001, Microsoft reported cash and short-term investments of \$36.2 billion, up from \$31.6 billion the previous quarter—an accumulation of more than \$1.5 billion per month.

It is astounding that Microsoft would face only a “sin no more” edict from a court, after its long and tortured history of evasion of antitrust enforcement and its extraordinary embrace of anticompetitive practices—practices recognized as illegal by all members of the DC Circuit court. The court has a wide range of options that would address the most egregious of Microsoft’s past misdeeds. For example, even if the court decided to forgo the break-up of the Windows and Office parts of the company, it could require more targeted divestitures, such as divestitures of its browser technology and media player technologies, denying Microsoft the fruits of its illegal conduct, and it could require affirmative support for rival middleware products that it illegally acted to sabotage. Instead the proposed order permits Microsoft to consolidate the benefits from past misdeeds, while preparing for a weak oversight body tasked with monitoring future misdeeds only. What kind of a signal does this send to the public and to other large corporate law breakers? That economic crimes pay!

Please consider these and other criticisms of the settlement proposal, and avoid if possible yet another weak ending to a Microsoft antitrust case. Better to send this unchastened monopoly juggernaut a sterner message.

Paul Young
Webmaster
NetSolve, Inc.
<http://www.netsolve.com> <<http://www.netsolve.com/>>
paul_young@netsolve.com
W 512.340.3159

M 512.825.7203

MTC-00016058

From: Lee Kennedy
 To: Microsoft ATR
 Date: 1/23/02 10:28am
 Subject: Microsoft Settlement

I am very concerned over the Proposed Final Judgement (PFJ) in the Microsoft case. The judgement as it stands neither prevents previous anti-competitive behavior that Microsoft has engaged in, nor adequately prevents them from using large loopholes to justify behavior that is supposedly prevented. The specific problems are too numerous to fully detail here, but I will outline several as an example:

1) The PSJ includes terms to increase Microsoft's disclosure of technical information to Independent Software Vendors. However there are a number of obvious shortcomings in the terms:

a) Microsoft is not required to give any advance notice of technical requirements. Middleware vendors are required to meet reasonable technical requirements by a set deadline, but nothing prevents Microsoft from making last minute changes to the technical requirements and claiming that vendors have not met the requirements.

b) Microsoft is required to release documentation for APIs, but not before competing middleware vendors are required to meet the unspecified technical requirements. Vendors need access to the documented APIs in time to use them effectively before the deadline.

c) The definitions of MS Middleware Product and API are so narrow that many crucial elements of the Windows interface could be excluded from release, effectively negating the use of the APIs that are released.

d) The restrictions on how the published APIs can be used specifically prevents many of the uses that fight against the MS monopoly. The APIs can only be used to write Windows-only software, not software for Windows-compatible or non-Windows operating system. This actually allows MS to —increase— the leverage of their OS monopoly on vendors creating applications.

e) There are no requirements for MS to release information about the file formats being used. The proprietary formats, which are changed frequently for little end-user benefit (i.e. Microsoft Word), are a significant barrier to entry for applications. This has not been addressed at all.

2) The PFJ also does not protect against a number of anti-competitive tactics MS has used in the past which directly hurt end users. Specifically:

a) MS uses license terms on software that explicitly prohibit the use of the software on non-Windows operating systems. This license specifically prohibits the use of competing windows-compatible operating systems.

This clearly creates a barrier to entry for competing operating systems that is based on the MS Windows OS monopoly.

b) MS has in the past used incompatibilities that are built-in to products specifically to disrupt the use of competing products (the DR-DOS case). This type of behavior allows MS to create further artificial

barriers for competing windows-compatible operating systems and further extend its monopoly.

This behavior is not addressed at all in the PFJ.

These are only a few of the long list of flaws that I see in the PFJ, but should be sufficient to demonstrate that the PFJ as it stands is simply NOT ACCEPTABLE to either redress the wrongs that have been done in the past or to prevent their reoccurrence in the future. Though I am not a US citizen the world-wide effect of the MS monopoly makes this case of international importance, and I hope that my condemnation of this PFJ will be given due consideration.

Thank you,
 Lee Kennedy
 Product Manager
 Open Text Corporation
 Ottawa, ON Canada

MTC-00016059

From: Alan Grover
 To: Microsoft ATR
 Date: 1/23/02 10:27am
 Subject: Microsoft Settlement
 23 January 2002

Sirs,

Under the Tunney Act, I'd like to comment on the proposed Microsoft settlement. I have been developing software for more than 20 years for many operating systems. I personally have experienced the difficulties resulting from Microsoft's monopoly and anti-competitive behaviors, restricting my ability to compete in the market place.

I object to the proposed Microsoft settlement. The clear finding of fact (Microsoft is a monopoly) is not addressed by the settlement. It allows Microsoft, as an entity, to continue unchanged, with minor modifications to its behavior, and does not address the barrier-to-entry.

In my opinion, it is laughable that the settlement applies only to Windows 2000 Professional, Windows XP Home, and Windows XP Professional. As we saw in the previous consent decree, Microsoft merely moves on to the next generation of a product/operating-system to evade the restrictions. Microsoft can, and will, avoid the entire settlement by merely producing the next version of their operating system and renaming it. The finding of the monopoly was based on Microsoft's operating system running on Intel hardware, and is thus not addressed.

The manipulation of definitions similarly allows Microsoft to avoid meaningful restrictions on API's (limiting it to a few specific application-support layers, instead of applying to all interfaces between programs and the operating system). Further, even the limited definition allows Microsoft to exclude significant middleware such as Outlook (as opposed to the more limited, consumer oriented, Outlook Express). As well, the new .NET platform, claimed to be central to Microsoft's future direction by Microsoft, is not included in the settlement.

The settlement does not appear to address monopolistic practices expressed in several Microsoft EULA's (end user license agreements) that attempt to lock-out open-source or other free software. Various leaked

memos have Microsoft identifying open-source, et. al., as a competitive solution that they wish to combat.

Along the same lines, the Microsoft development system (Microsoft Platform SDK), used to write programs, attempts to stifle competition by preventing the resulting programs from being distributed for use with any other operating system (by means of placing a license restriction on "components" which are required to run the programs).

Finally, the settlement provides an (absence of) enforcement mechanism that overwhelmingly favors Microsoft. There is no actual enforcement specified in the settlement, leaving it to the legal system which will allow Microsoft to use its huge financial and monopolistic advantage to discourage and intimidate any who attempt to bring suit.

The Proposed Final Judgment should not be adopted. A judgment, in the public interest (as required), should be written, adopted, and enforced. Many others have proposed such judgments.

For reference, please see <http://www.kegel.com/remedy/remedy2.html> with further information on many of these points.

Alan Grover
 awgrover at mail.msen.com
 515 Cherry St.
 Ann Arbor, MI 48103

MTC-00016060

From: Howard Berg
 To: Microsoft ATR
 Date: 1/23/02 10:27am
 Subject: Microsoft Settlement

The settlement is wrong. Microsoft appears to be avoiding federal corporate taxes. Microsoft appears to be illegally retaining profits from shareholders. Microsoft appears to be illegally distributing a "End User License Agreement" (EULA). I request that the case be properly investigated, the EULA be required to be rewritten, an injunction stopping campaign contributions and other bribes distributed by Microsoft, and a Special Prosecutor installed to investigate the failure of government officials to enforce the current laws when Microsoft is involved.

Howard Berg

MTC-00016061

From: Marc Midura
 To: "microsoft.atr(a)usdoj.gov"
 Date: 1/23/02 10:26am
 Subject: Microsoft Settlement

Dear Sirs,

The proposed Microsoft settlement does not adequately address past actions given their severity.

The proposed settlement does nothing to stop Microsoft's predatory practices.

I urge you to abandon the current settlement and seek measures that better fit the situation.

Thank you for your attention,
 Marc Midura
 Somerville, MA

MTC-00016062

From: Paul Gutwin
 To: Microsoft ATR
 Date: 1/23/02 10:27am
 Subject: Microsoft Settlement

There are several things wrong with the Microsoft settlement. As an engineer/programmer with 20 years experience, I believe the restricted definitions of "API", "Microsoft Middleware" and "Windows Operating System" effectively give Microsoft the legal authority to continue the anticompetitive behavior they were found guilty of. Specifically, the definition of API allows Microsoft to add highly valuable access to the Windows Operating System without disclosing this to its competitors in the vast markets not included in the "Microsoft Middleware" definition.

Microsoft in effect sacrifices a few highly mature markets (those defined as Microsoft Middleware), for the freedom to continue its anticompetitive behavior in all other markets. This is, at best, a pyrrhic victory for the US Government.

MTC-00016063

From: MARTIN JONES
To: Microsoft ATR
Date: 1/23/02 10:29am
Subject: Microsoft Settlement

Dear Sirs and Madams:

I wish to comment on the proposed settlement between the Justice Department and Microsoft.

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future.

Microsoft's monopolistic practices cause the public to bear increased costs and deny them the products of the innovation which would otherwise be stimulated through competition. The finding of fact which confirmed that Microsoft is a monopoly requires strict measures which address not only the practices they have engaged in in the past, but which also prevent them from engaging in other monopolistic practices in the future.

It is my belief that a very strong set of strictures must be placed on convicted monopolists to insure that they are unable to continue their illegal activities. I do not think that the proposed settlement is strong enough to serve this function. It will do little to punish Microsoft for its plainly illegal conduct in the past, and virtually nothing whatsoever to prevent future violations of antitrust law.

Thank you,
Martin K. Jones
Birmingham AL

MTC-00016064

From: Chris Beattie
To: Microsoft ATR
Date: 1/23/02 10:27am
Subject: Microsoft Settlement
To Whom It May Concern:

What is the point to spending millions of dollars to prosecute Microsoft, finding them guilty of violating the Antitrust Act, and then commuting the sentence to a wrist slap?

It was demonstrated by the 1995 Consent Decree that Microsoft will not find itself burdened enough by such punishment to operate according to the fair business practices set forth to protect the consumers of this country.

Sincerely,
Christopher M. Beattie

MTC-00016065

From: Jeff Otterson
To: Microsoft ATR
Date: 1/23/02 10:27am
Subject: Microsoft Settlement
I am opposed to the currently proposed Microsoft anti-trust settlement.

The settlement does not properly address *punishment* for Microsoft's anti-competitive practices, which have damaged consumers by creating less choice and higher prices for personal computer operating systems and applications software.

I believe that a heavy fine as well as refunds to consumers should be added to the settlement.

Thank you for your careful consideration
Jeffrey Otterson
3543 Tritt Springs Way
Marietta, GA 30062

MTC-00016066

From: mark
To: Microsoft ATR
Date: 1/23/02 10:29am
Subject: Microsoft Settlement

I have read about the proposed settlement, and I am not in favor of it in its current state. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors.

Mark Reed
Cincinnati, Ohio

MTC-00016067

From: dsr11@cornell.edu@inetgw
To: Microsoft ATR
Date: 1/23/02 10:28am
Subject: Microsoft Settlement

I think the proposed MS settlement is bad for a number of reasons, but one in particular is the restrictive of the EULA and how that is being treated by the settlement. Under the current EULA, Microsoft APIs are prohibited for use in open source software. Since open source software can run on a number of platforms, including Linux, Microsoft would be afraid of losing market share for Windows. However, since the EULA prohibits this, they are stifling competition by putting up a barrier of entry in the market and not allowing open source projects to use Microsoft APIs. Two such products that would greatly benefit are Star Office and Netscape Navigator, both of which run on a variety of platforms but are stifled in the Windows market because they do not integrate as tightly with Windows as MS Office and Internet Explorer. The proposed settlement does not address this issue, and therefore does not knock down barriers of entry into the Microsoft monopoly.

As an open source developer, this concerns me greatly. And this is only one of a large number of problems with the proposed remedies. Microsoft is getting off way too easy, please reconsider.

Daniel Rabinovitz

MTC-00016068

From: Twp121@aol.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:27am

Subject: Microsoft Settlement

I believe that the current proposed final judgement in the Microsoft Anti-trust case, as it stands, is a bad idea. The current proposal allows Microsoft to continue in its anti-competitive practices.. Microsoft has a history of anti-competitive practices as shown in the 1996 Caldera V. Microsoft case where a judge found that "Caldera has presented sufficient evidence that the incompatibilities alleged were part of an anticompetitive scheme by Microsoft." (UNITED STATES DISTRICT COURT DISTRICT OF UTAH—CENTRAL DIVISION Case No. 2:96-CV-645 B) If the current proposal passes, the people of this nation will have been done a dis-service by their legal system.

Thank you,
Matthew Messenger

MTC-00016069

From: Lisa Carr
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:28am
Subject: Microsoft Settlement

The Microsoft "settlement" is a bad deal, not just for the United States, but the entire world, as the Windows operating system has become a forcibly imposed international standard. And not because it is the best operating system, but because Microsoft has engaged in criminal behavior—and done so repeatedly.

Why are we settling for anything less than punishing this criminal behavior? The current settlement allows Microsoft to basically go about business as usual, while their way of doing business has been shown to be unethical and illegal.

Patent cross-licensing agreements would go a long way towards leveling the playing field and encouraging innovation and price competition that would benefit consumers in the U.S. and around the world.

Force Microsoft to provide the Windows APIs, immediately and without foot-dragging or deception. The oversight required will be worth the cost.

Lisa
lisa carr
senior content developer 214.224.1065
lisa@imc2.com <mailto:lisa@imc2.com>
<http://www.imc2.com/> imc2.com
7505 john carpenter frwy
dallas, texas 75247
214.224.1000
fax/214.224.1100

MTC-00016070

From: John Holland
To: Microsoft ATR
Date: 1/23/02 10:29am
Subject: Microsoft Settlement
Dear Sirs;

I would like to briefly state my opinion about the Microsoft Anti-Trust settlement.

The remedies that have been proposed will have no effect on the behavior of this company. The history of their disregard for previous consent orders and decrees should make that clear. It should also be clear that they are using their monopoly position on desktop operating systems to aggressively pursue similar total dominance of other markets such as multimedia transmitted over the Internet ("Windows Media Player"), security infrastructures ("Passport") and so on.

It may make sense for their to be only one maker of desktop operating systems. If so, then that company should be—effectively—analyzed and regulated to ensure the needs of its customers (consumers and businesses) are being properly served, possibly in a manner like for public utilities. Judge Jackson's Findings of Fact and the ridiculous behavior of Microsoft in the trial (ie the videotape debacle, Gates' deposition) should make it clear that this is a company that needs to be aggressively reined in.

Sincerely,
John Holland

MTC-00016071

From: M M
To: Microsoft ATR
Date: 1/23/02 10:29am
Subject: MICROSOFT SETTLEMENT
Judge K;

I am a lawyer by training and profession. As I have read the findings of the courts in the Microsoft trials ? and then the PFJ offered by the DOJ ? it strikes me that they are not talking about the same case or the same company.

The fact that multiple courts have found Microsoft guilty makes it very hard to understand the DOJ's essentially hands-off attitude. I understand that this is a Republican administration, but in this case they have simply gone way too far in one direction while forgetting the rule of law in the other.

I look forward to your ruling in this important matter.

Marshall Slayton
706 Nelson Dr.
Charlottesville, VA
22902

MTC-00016072

From: Drew Taylor
To: Microsoft ATR
Date: 1/23/02 10:29am
Subject: Microsoft Settlement
To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future.

The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,
Andrew Taylor
Drew Taylor JA[P\m—p\SQLJH
http://www.drewtaylor.com/ Just Another Perl\mod—perl\SQL Hacker
mailto:drew@drewtaylor.com *** God bless America! ***

MTC-00016073

From: John Engel
To: Microsoft ATR
Date: 1/23/02 10:26am
Subject: Microsoft Settlement
Dear Sir/Madam

I object to the proposed final judgment in the Microsoft antitrust case. It appears to me to do little to remove the applications barrier to entry that is the heart of the Microsoft monopoly. I strongly object to the term "for the sole purpose of interacting with a Windows Operating System product" in the proposed final judgment. This allows Microsoft to maintain its monopoly to the detriment of anyone wishing to use a program written for Windows regardless of whether they wish to use the Windows OS itself. The problem is the APPLICATION barrier to entry, not the OS barrier to entry.

The final judgment should require Microsoft to publish, not license or disclose under NDA, its file formats and communications protocols. Let Microsoft earn its dominance by its programs, not by the elaborate strategy of vendor lock in and commercial intimidation that it uses now.

Sincerely,
John R. Engel
125 Bramble Bush Ln
Springboro OH 45066

MTC-00016074

From: Stephan Zaniolo
To: Microsoft ATR
Date: 1/23/02 10:30am
Subject: Microsoft Settlement

I personally believe the proposed settlement in the Microsoft anti-trust case is a bad idea and will cause more harm than good. As a software developer and security consultant my primary complaints are:

- There are no provisions to create competition in the OS market to break up Microsoft's illegal monopoly. By allowing firms better access to the Windows API's, all that's being done is the Windows monopoly is being reinforced!
 - There are no provisions to prevent Microsoft from extending its Windows monopoly into new markets.
 - It does nothing to prevent the practices Microsoft was found to have illegally used to maintain its illegal Windows monopoly.
- Thank you for your time,
Stephan Zaniolo
Forest Park, Illinois

MTC-00016075

From: Hatcher, Kelly
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:29am
Subject: Microsoft Settlement

As a software engineer with 17 years' experience developing software for Unix, Windows, Macintosh, and Linux, I'd like to comment on the Proposed Final Judgment in United States v. Microsoft.

* The PFJ doesn't take into account Windows-compatible competing operating systems

* The PFJ Contains Misleading and Overly Narrow Definitions and Provisions
-The definition of API fails to meet the definition actually used in the industry by being overly restrictive and limited.

-The definition of "Windows Operating System Product" fails to mention all of the "Operating Systems" listed by Microsoft on their website

* Windows XP
Windows XP
Windows XP Professional
Windows XP Home
* Windows 2000
Windows 2000 Professional
Windows 2000 Server
Windows 2000 Advanced Server
Windows 2000 Datacenter Server
* Windows Embedded
Windows Embedded
Windows CE .NET
Windows XP Embedded
Windows XP Tablet PC Edition

Considering these problems, one must conclude that the Proposed Final Judgment as written allows and encourages significant anticompetitive practices to continue, and would delay the emergence of competing Windows-compatible operating systems. Therefore, the Proposed Final Judgment is not in the public interest, and should not be adopted without addressing these issues.

Kelly Hatcher 512.741.1115
Vignette Austin, TX

MTC-00016076

From: estevan@mac.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:29am
Subject: Microsoft Settlement

From my perspective, Microsoft has willfully engaged in monopolistic practices and must be punished. The proposed settlement will do little if nothing to stem this behavior. There are many problems. To point out one, Microsoft should have no voice in choosing the panel that will be charged with oversight to ensure that Microsoft complies with the rulings.

MTC-00016077

From: Tom Daniels
To: Microsoft ATR
Date: 1/23/02 10:29am
Subject: Disagreement with Microsoft Settlement

I hereby register my complete disagreement with the proposed Microsoft settlement as allowed for in the Tunney Act.

As Dan Kegel and many others have pointed out, the settlement defines many aspects of the Microsoft remedies so specifically that it will be trivial for Microsoft to evade them. The needed remedies should be broad and have oversight mechanisms that allow for "special case" exceptions after the fact. The barriers to entry should be lowered by requiring all API's to be well documented

and said documentation released for no charge in a non-Microsoft controlled format. All file formats used by Microsoft should be opened in the same manner. All patents covering API's should be spelled out by Microsoft and those not explicitly described and linked to an API should not be litigable by Microsoft. Microsoft should be required to SELL their operating systems and other software instead of licensing it. OEM's should have equal access to Windows regardless of size of the OEM. OEM's should be allowed to bundle any software with their goods without the control of Microsoft whether the computer includes Windows or not.

Microsoft should have been broken into many more than 2 independent entities, but it's too late for that!

Thank you for your time,
Thomas E. Daniels
Lafayette, Indiana
Tom Daniels

MTC-00016078

From: Bryan Carpenter
To: Microsoft ATR
Date: 1/23/02 10:30am
Subject: Microsoft Settlement

I am writing even though I have repetitive stress injuries to my shoulders and wrists that make it somewhat painful for me to do so. I feel that Microsoft's free-market-stifling behavior over a significant number of years has had a disastrous effect on the ability of innovative Americans to access the American dream which is supposed to allow an individual to create a better way of doing something, expose his or her creation to consumers, price it at a level that gives it a competitive advantage, and make a good living from the effort. I am a software developer, and my wife is a law student who in her mid-forties is working on her second career after being a mostly-full-time mom for 15 years. Both of us have significant difficulties almost daily with the Microsoft software that we need to use to accomplish our daily work. The reason we have these difficulties is simply that Microsoft doesn't care enough to get things really right. They don't have to. So users go on year after year getting by with poorly-written software while Microsoft moves on to the next field that they want to concentrate on monopolizing. How does this relate to the proposed settlement?

The reason why we have to keep using MS software even though it is often maddening is because MS has effectively squashed the ability of new innovators to have a chance to build their success by creating a better product and exposing real users to its advantages.

I am a rabid advocate of free-market economics, but just as a professional football game would turn to mush and be uninteresting in the absence of rules and referees, a free-market economy also needs rules and referees. Microsoft is the equivalent of a football player who uses illegal tactics to seriously injure, maim, and kill opposing players while the refs only call him for occasional minor penalties and never really give him a reason to change his approach to the game.

Although there are many problems with the proposed Microsoft settlement, I would

like to concentrate on the continued ability of Microsoft to retaliate and/or apply leverage to the OEM's that are dependent on MS for the operating system that they realistically have to have in order to sell the bulk of their computers. MS should not be able to exert any leverage over these OEM's to keep them from adding non-MS features and/or products to the computers they sell. Sections III.A.2 and III.B of the proposed settlement have significant deficiencies that allow MS to continue to strongarm the OEM's that buy from them and therefore prevent innovation that has the potential to weaken their monopoly.

I strongly advocate that my Federal government do more than slap Microsoft on the wrist at this critical juncture. This is really the last opportunity to keep MS from becoming the sole dictator of the majority of American's opportunities to innovate and succeed in the computer/Internet field.

Sincerely,
Bryan Carpenter
2345 Lake Drive
Loveland, CO 80538

MTC-00016079

From: Brent Pitts
To: Microsoft ATR
Date: 1/23/02 10:31am
Subject: Microsoft Settlement

With the deadline for comments approaching, I realized the now is the time to make my opinion known. I am a professional software developer and use Microsoft products daily, as I have for many years. I have become frustrated by Microsoft's declining quality and lack of alternate choices for software tools. Because of this I would like to register my opposition to the proposed settlement which I feel does too little to restore fair competition to the marketplace. Once again, I say no to the proposed settlement.

Thank you,
Brent Pitts
Tallahassee, FL

MTC-00016080

From: box010831
To: Microsoft ATR
Date: 1/23/02 10:30am
Subject: Microsoft Settlement

I am strongly opposed to the proposed settlement of the Microsoft antitrust case on the grounds that it does not adequately protect consumers or redress past misconduct.

Sincerely,
DC, U.S. Citizen

MTC-00016081

From: Guy Speier
To: Microsoft ATR
Date: 1/23/02 10:29am
Subject: Microsoft Settlement

The proposed settlement is a terrible idea.

MTC-00016082

From: Matthew Gessner
To: Microsoft ATR
Date: 1/23/02 10:30am
Subject: Microsoft Settlement

Greetings,

I'm writing to express my feelings on the proposed Microsoft Settlement. Personally, I

think that ANY settlement that does not involve the breakup of Microsoft, in whole or in part, will not be a just settlement for consumers, corporations, or the various governments involved. Failing to act against Microsoft at this time puts peoples' jobs and lives at risk. My reasons are below: Microsoft has used its monopoly power to push dangerous software on millions of unknowing users. The most recent of these incidents centers on Microsoft Windows XP, which, as touted by Microsoft, is the most secure version of Windows. However, it came to light only a few months after its release that Windows XP had a security hole in it so large as to allow anyone on the internet to take over a Windows XP machine connected to the internet.

How can anyone NOT see that this company simply does NOT care about the products it sells (oh, the exception might be a few quality games)? They're aren't motivated to do a better job (to use their word, "innovate"—WHAT A JOKE!) because there is simply too little competition. The evidence has been entered in court: when Microsoft senses a product that might compete with theirs, they either a) buy the company producing the product or b) steal key technologies by reverse-engineering the code or c) perform some other possibly unrelated action to undermine the desirability by cutting their own price on a product. Their monopoly power and wealth allow them to undercut other companies' efforts (I won't use the term "competition" because Microsoft sadly has very little).

Additionally, consider how long before Microsoft has products that are placed into important, everyday use besides the typical PC. With the poor quality of software they produce (which again, is a function of little competition), what are the consequences if Microsoft manages to use its market pressure to put a product in something like a health appliance or an aircraft? I'm not saying they have plans to do that, but Microsoft seems to have a pretty insatiable appetite when it comes to new market opportunities. They've already entered the embedded systems market (systems used typically in control applications, like process control, telecommunications, etc), and that frightens me a great deal. In summary, Microsoft has continually expressed its lack of respect for consumers by producing poor quality software, and its lack of respect for the law by continual violations of its past agreements. Microsoft needs to be broken into little, manageable pieces, none of which would be large enough to pose a serious concern to the public. THEN they can see how their "practice" of their so-called "innovation" will take them.

Thank you for your time reading this email.

Regards,
Matthew Gessner to put the company

MTC-00016083

From: frank delin
To: Microsoft ATR
Date: 1/23/02 10:30am
Subject: Microsoft Settlement

The loophole that troubles me most in the proposed remedy in this case is the lack of

any language which prohibits Microsoft from intentionally creating incompatibilities in their software that make it difficult if not impossible to compete with a similar Microsoft product. This practice began as early as the DR-DOS detection routines in early versions of Microsoft's Windows OS and has appeared as recently as minor, nonfunctional changes in Microsoft's networking protocols that disabled compatibility with the Samba interplatform file sharing system. As an individual who works in the industry I am confounded on an almost daily basis by the inane changes that I must acquiesce to in order to make my products compatible with Microsoft software such as Internet Explorer's less than standard take on concepts such as HTML and javascript.

I am hopeful that a new remedy might take practices, such as those I have outlined, into account to allow for a more competitive environment for us all.

Thank you for your time,
Frank Delin
Programmer
The University of Iowa Hygienic
Laboratory

MTC-00016084

From: John Jacobsen
To: Microsoft ATR
Date: 1/23/02 10:30am
Subject: Microsoft Settlement

I feel that the Proposed Final Judgement in United States v. Microsoft—though a step in the right direction—is deficient in one major area: Many important API's and file formats would remain undocumented! This is important as an Senior Software Engineer with over 12 years of experience. I have been developing applications on many platforms and a common thread in the development process is understanding exactly what you are trying to make your program "talk" to. If Microsoft is allowed to continue to keep proprietary standards and API's for their operating system and middleware products, it will be increasingly difficult for software development companies and independent developers alike to compete with the monopoly that Microsoft has created.

The only true way to solve this problem is to make Microsoft document ALL of the API's and file formats that the Windows operating system and middleware products use.

Thank you in advance for your consideration in this matter
John Jacobsen

MTC-00016085

From: Brody
To: Microsoft ATR
Date: 1/23/02 10:30am
Subject: Microsoft Settlement

I think that the proposed settlement is a very bad idea. How deeply into our government do Microsoft's tentacles go?

MTC-00016086

From: Jo.Fenstad@corusgroup.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:27am
Subject: Microsoft Settlement—bad for US businesses
Dear DOJ

I work for a company in the UK, but my story concerns US businesses as well, the problems related to Microsoft reach—as the Internet—beyond borders.

1) Only Internet Explorer is available from my PC desktop.

2) Company IT policy expressively forbids users (i.e. ordinary employees) from adding any software products to our PC, hereunder browsers.

3) My company will only install new software if a "similar" product is not initially available on the PC, and even then only after a series of written "formalia".

4) Effectively this means that there is no way I (as a user) can choose to employ products that compete with Microsofts, hereunder Netscape. The proposed settlement with MS will not act to improve this situation.

5) When buying av PC for home use, I could choose between all kinds of PC producers, several kinds of hard drives, several kinds of monitors (standard and LCD) and I could adjust the price by including and excluding different choices. All in the same shop! That's competition! But only one OS vendor was available, and I could not get any lower price by choosing not to buy any of this vendors products. Remarkably, MS software was more tightly "bonded" to my PC than any piece of the PC hardware ... The proposed settlement with MS will not act to improve this situation.

6) Apparently, large corporate customers have more of a choice than any individual user. However, the proposed settlement will allow MS to present even these customers with a contract that dictates payment of fees and punitive damages (disguised as "increased" subscription fares) to MS if customers at some point decide to test alternatives to any individual Microsoft product. The only way out of the racket is to drop all Microsoft products simultaneously. Even the mightiest corporations will not dare to do this. Any software start-up, offering even the best product, the lowest prices and full MS compatibility, will not be able to reach their customers under such conditions, unless MS buys them first. Obviously, the proposed settlement make a mockery out of the Sherman Act.

best wishes for your work on this case
J. F.

MTC-00016087

From: Michael Bauer
To: Microsoft ATR
Date: 1/23/02 8:23am
Subject: Microsoft Settlement

I had an early Internet company and believe that Microsoft's anti-competitive practices had a material adverse effect on the ability of my company to receive adequate financing. I don't believe any settlement with Microsoft is appropriate.

Michael Bauer me@michaelbauer.com
<http://www.michaelbauer.com>

MTC-00016088

From: dylan@easystreet.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:32am
Subject: Microsoft Settlement

I think the settlement, as currently phrased, does not serve the consumer's, nor

the country's best interest. In my experience (not opinion), Microsoft's anti-competitive behavior has reduced innovation and resulted in higher prices. A more significant step has to be made to keep them from pursuing these practices with renewed vigor. Please reconsider the settlement, and level the playing field for all US technology companies. thanks,

Dr. Dylan McNamee
TrueDisk, Inc.
dylan@truedisk.com

MTC-00016089

From: Colin Melville
To: Microsoft ATR
Date: 1/23/02 10:15am
Subject: Microsoft Settlement
Greetings,

In accordance with "The Tunney Act", I would like to comment on the current Proposed Final Judgement in the US vs Microsoft Anti-Trust case.

1) Microsoft is not being punished for it's anti-trust violations. There must be a fine, and it must be in the \$B range. The fine should also have no purpose other than be contributed to the general revenue fund. There must also be progressive fines for future violations.

2) Applications barriers for competing software companies must be stricken down with strong language that is not limited to certain Microsoft operating systems, as in the PFJ. It must encompass all of Microsoft, it's subsidiaries, current and future versions of Microsoft operating systems.

3) All Microsoft API's and middleware should become an open standard, with specific requirements to publish these standards before releasing new products.

Mr. Colin Melville (Ind)
Clayton, Missouri
Recover, rebuild, revenge!

MTC-00016090

From: Kelsey Edwards
To: Microsoft ATR
Date: 1/23/02 10:31am
Subject: Microsoft Settlement
Men and women of the Department of Justice,

You have requested public comment before closing the Microsoft Antitrust case.

First, to prosecute any person, or company in this case, under a law with no defined standards, under which a person's actions may be declared illegal although they were not prohibited before he performed them, is a terrible blow to the justice and protection of individual rights upon which our nation and legal system were founded. Disgruntled competitors can not be allowed to declare the actions of a more successful company illegal simply because it was successful and they were not. Laws under which such post de facto prosecution can take place are more reminiscent of a Fascist regime than a free democratic republic.

Second, I would like to ask you to consider whom you are trying to protect. If, in your eyes, prosecuting Microsoft is an attempt to protect the average consumer, then I must disagree, both with the means and the end. Any average consumer that buys a Microsoft product does so voluntarily. For myself, I

choose to use Windows as opposed to, say, Linux, but I choose to use Lotus instead of Microsoft's Word. Microsoft has no power to physically compel a person to buy its product instead of a competitor's. In actuality, the only institution with the power of physical enforcement is the government, and it is through that means that Microsoft's less capable competitors wish to shackle them. The government has no right to interfere with free trade.

The last thing I would like you to consider is the broadest scope and ramifications of your actions. At a time when we are suffering a recession and commentators frequently ask if industry will be able to recover, you propose to punish the most successful corporation in the nation. What will that do to the economy? Further, what message does that send to other large corporations, such as General Electric, and AT&T (which has already been prosecuted)? It warns them not to be too successful, not to make too much money, not to boost the economy too much, not to do their jobs too well, because a less successful competitor might cry "monopoly" out of contempt for his own incompetence. And how do such businesses know how much is too much? Under such arbitrary laws as antitrust, they can't. The Microsoft case should be dismissed. The antitrust laws are unconstitutional. The consumers deal with the company voluntarily. Economic success should not be punished, but rewarded. Microsoft produces life-enriching products that people want to buy and supports the nation's economy. It deserves not a lawsuit, but a commendation

Thank you,
Kelsey Edwards
Ravenna, OH

MTC-00016091

From: Steve Dockter
To: Microsoft ATR
Date: 1/23/02 10:30am
Subject: Microsoft Settlement

Dear Sir or Madam,

I understand that I have the ability to comment on the proposed settlement between the Justice Department and Microsoft. I have read about the proposed settlement, and I am NOT in favor of it in its current state. Please consider this a vote AGAINST the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors.

The proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that

I can see will curtail them. The proposed settlement does not sufficiently relieve Microsoft of the ability to leverage hardware and computer manufacturers unfairly against competing products, nor does it adequately open the Windows API to programmers. The DOJ and US government can put a stop to the Microsoft monopoly by forcing them to release their file formats, source code, protocols, or something similar that will allow other companies to compete with them. The market must be able to return to a state of competition.

Thank you for your time,
Steve Dockter
215 Sulky Way
Chadds Ford, PA 19317

MTC-00016092

From: jbeamon@ens1.eatel.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:31am
Subject: Microsoft Settlement

I am a Systems Administrator at a local ISP outside Baton Rouge, LA. I have been in IT professionally for 3-plus years, using a mix of Windows, NT, Solaris, and Linux. I must object, under the provisions of the Tunney Act, to the proposed settlement offer extended toward Microsoft. The original "suit against Microsoft" was all about Netscape's Navigator web browser. Microsoft banned PC vendors from installing Netscape onto new PC's and placed their own Internet Explorer (ie) logo on the desktop. As a subtle maneuver directed at people new to the computer market, "shortcuts" from non-Microsoft products placed on the computer's desktop bear a small white arrow, indicating their role as an artificial pointer to some add-on product. Microsoft's ie and Outlook shortcuts were engineered to not bear the little white arrow, making them appear built-in and native to the OS. Right-clicking a third-party shortcut gives you the shortcut's properties: where it leads to, what sort of screen environment it runs in. Right-clicking a Microsoft shortcut gives you the application's properties: connection type, advanced settings, email accounts, home page. These may appear small thing, but they present a profound psychological influence on new computer users that is not beyond the intentions of Microsoft.

Microsoft has made their Office product's file formats a moving target for competing developers for years. This would not have been such an issue, had their not been prepackaged bundling of Office onto retail PC packages, built-in compatibility with the Wordpad application provided free with Windows, and so on. Working in an all-Solaris department, I once received memos and timesheets in digital formats from my HR and Payroll departments as .doc and .xls documents. Without Microsoft's Word and Excel products (I probably just violated a trademark by typing that...), I could not open my company's own communication. Had they been web-based or in plain text or in some easily translatable format that other applications could open, I would not have had the problem. It's not about whether I get Granny's letter or pictures, it's about whether I bundled or purchased Office to open the file formats that were included with her

machine. If she were sending me encrypted pictures of her nuclear sub, I'd understand, but this is common "plain text" messaging. It shouldn't be any more difficult or expensive to read than the text on a pager.

MSNBC offers versions of its news-update application for Windows and Macintosh, but the End User License Agreement (EULA) states that the applications MUST be run on a version of the Windows operating system. As an internet systems admin, I face the routine task of cleansing my server logs from intrusion and denial-of-service (DoS) attacks. Nearly 100% of these attacks are searches for "winnt/cmd.exe" or "winnt/root.exe", leftover from the CodeRed and Nibda worms. Their IIS product (web server) has been inherently vulnerable and insecure since day one, and there have been only an endless stream of patches and quick fixes to deal with it. Producing a product that is secured by default has not been a priority. The inclusion of automatic application execution, ActiveX controls, and Visual Basic scripting in their Outlook mail program has only served to exacerbate the problems by enlarging the base from which these worms can operate. Granted, my apache (www.apache.org) web server, open sourced and developed with security in mind, has never suffered from these attacks directly, but my drives fill up with log files recording each ill-gotten request they must answer. I'm certain you've heard most of this before, but I had to make my voice heard. Credit <http://slashdot.org> for reminding me that the Tunney Act comment period was expiring. I will be a co-signer of Dan Kegel's open petition, hosted online at <http://www.kegel.com/remedy/letter.html>, to see this proposed settlement redeveloped with some actual teeth to solve the problems that were originally brought to court in the first place... like smaller firms coming up with better ideas, being barred from inclusion in retail PC's until they're starved and bought out, then having their ideas "innovated" into Windows as Windows-only software products.

John Beamon
Systems Administrator
Baton Rouge, LA
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MTC-00016093

From: John Holcomb
To: Microsoft ATR
Date: 1/23/02 10:31am
Subject: Microsoft Settlement

To Whom it May Concern,

I disagree with the definition given for API by Definition A. As a software Developer, I believe ALL Windows APIs should be disclosed, thus all operating system interfaces for application programs should be made public. Thus the current PFJ definition for API is not sufficient, since the interfaces between Microsoft Middleware and Microsoft Windows are possibly only a subset of all Windows APIs.

If all operating system interfaces were made public and documented this would take the edge away from Microsoft, but also allow all developers, not just Microsoft engineers with special knowledge of system APIs, to create programs that use the

Windows OS more efficiently, thus giving the end users a better product experience.

John Holcomb

MTC-00016094

From: Don J. Rude
To: Microsoft ATR
Date: 1/23/02 10:32am
Subject: Microsoft Settlement

Don J. Rude, Gaithersburg, Maryland, Owner of Steem, LLC (www.steem.com) I am writing to say that I will stand as a co signer of Dan Kegel's open letter to the DOJ. <http://www.kegel.com/remedy/letter.html> There are many problems with the way Microsoft has conducted themselves over the years and I feel that the PFJ is inadequate and often inaccurate. I greatly appreciate Dan Kegel's work on his letter. If I had confidence that my letter would be thoroughly read by the DOJ I would freely express my own opinions and understanding of this case but instead I feel resigned to simply co sign this open letter and hope that the Mr. Kegel's work is more effective than my own voice. I feel I must also say "Thank You" to Jeremy White for his call to action:

<http://www.codeweavers.com/jwhite/tunney.html>

Don J. Rude C.T.O.
V 301-208-1658 x11 F 301-208-1930
Build your world. <http://STEEM.com>

MTC-00016095

From: Douglas Barnes
To: Microsoft ATR
Date: 1/23/02 10:13am
Subject: Microsoft Settlement

I first started programming computers in 1979, and I have been involved with the computer industry in one way or another for most of my career. I have used and programmed for Microsoft products since the early releases of DOS. I've also used and programmed for a wide range of other operating systems, and I worked as a developer of Unix-based operating systems for IBM and Tandem (now Compaq). In addition, I have co-founded a number of companies here in the California Bay Area, including C2Net Software, which is now part of Red Hat. I recently changed careers and I am now working as a litigation paralegal and preparing to go to law school. The trial court has ruled that Microsoft committed serious violations of anti-trust law, and this decision has been upheld in its initial appeal. Moreover, nobody disputes that previous attempts to restrain Microsoft failed utterly. Clearly it is necessary to go beyond the type of remedy used previously in order to prevent Microsoft from continuing its anti-competitive behavior. The executives at Microsoft are extremely clever people, and their cleverness is hardly confined to solving technical problems—they have proven exceptionally adept at wriggling out of legal restrictions as well.

Given Microsoft's history and the rapidly changing nature of technology, it is very doubtful that you can craft a remedy that will have any effect absent close supervision by persons committed to the intent of the remedy. In addition, the current proposed remedy—even ignoring issues of enforcement and supervision—is full of loopholes that

Microsoft can (and certainly will) drive a truck through.

I am attaching the draft of an essay by Dan Kegel that I have reviewed and strongly agree with. It is somewhat technical and dense, but this is a technology company that you're attempting to restrain. In my opinion, he does an excellent job of showing that the proposed remedy doesn't even accomplish what it sets out to accomplish. Please reconsider the current settlement. It is abundantly clear that if you do not fashion a better remedy than the current proposal, Microsoft will continue to break the law with impunity.

Sincerely,
Douglas Barnes
douglas@salquod.com
5529 Kales Ave.
Oakland, CA 94618

On the Proposed Final Judgment in United States v. Microsoft Contents

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 - Introduction
- As a software engineer with 20 years' experience developing software for Unix, Windows, Macintosh, and Linux, I'd like to comment on the Proposed Final Judgment in United States v. Microsoft.

According to the Court of Appeals ruling, "a remedies decree in an antitrust case must seek to 'unfetter a market from anticompetitive conduct', to 'terminate the illegal monopoly, deny to the defendant the fruits of its statutory violation, and ensure that there remain no practices likely to result in monopolization in the future' (section V.D., p. 99) .

Attorney General John Ashcroft seems to agree; he called the proposed settlement "strong and historic", said that it would end "Microsoft's unlawful conduct," and said "With the proposed settlement being announced today, the Department of Justice

has fully and completely addressed the anti-competitive conduct outlined by the Court of Appeals against Microsoft." Yet the Proposed Final Judgment allows many exclusionary practices to continue, and does not take any direct measures to reduce the Applications Barrier to Entry faced by new entrants to the market.

The Court of Appeals affirmed that Microsoft has a monopoly on Intel-compatible PC operating systems, and that the company's market position is protected by a substantial barrier to entry (p. 15). Furthermore, the Court of Appeals affirmed that Microsoft is liable under Sherman Act ? 2 for illegally maintaining its monopoly by imposing licensing restrictions on OEMs, IAPs (Internet Access Providers), ISVs (Independent Software Vendors), and Apple Computer, by requiring ISVs to switch to Microsoft's JVM (Java Virtual Machine), by deceiving Java developers, and by forcing Intel to drop support for cross-platform Java tools.

The fruits of Microsoft's statutory violation include a strengthened Applications Barrier to Entry and weakened competition in the Intel-compatible operating system market; thus the Final Judgment must find a direct way of reducing the Applications Barrier to Entry, and of increasing such competition.

In the following sections I outline the basic intent of the proposed final judgment, point out areas where the intent and the implementation appear to fall short, and propose amendments to the Proposed Final Judgment (or PFJ) to address these concerns. Please note that this document is still evolving. Feedback is welcome; to comment on this document, please join the mailing list at groups.yahoo.com/group/ms-remedy, or email me directly at dank-ms@kegel.com. Understanding the Proposed Final Judgment In crafting the Final Judgment, the judge will face the following questions:

- a.. How should terms like "API", "Middleware", and "Windows OS" be defined?
- b.. How should the Final Judgment erode the Applications Barrier to Entry?
- c.. How should the Final Judgment be enforced?
- d.. What information needs to be released to ISVs to encourage competition, and under what terms?
- e.. Which practices towards OEMs should be prohibited?
- f.. Which practices towards ISVs should be prohibited?
- g.. Which practices towards large users should be prohibited?
- h.. Which practices towards end users should be prohibited? Here is a very rough summary which paraphrases provisions III.A through III.J and VI. of the Proposed Final Judgement to give some idea of how the PFJ proposes to answer those questions: PFJ Section III: Prohibited Conduct
 - 1.. Microsoft will not retaliate against OEMs who support competitors to Windows, Internet Explorer (IE), Microsoft Java (MJ), Windows Media Player (WMP), Windows Messenger (WM), or Outlook Express (OE).
 - 2.. Microsoft will publish the wholesale prices it charges the top 20 OEMs (Original Equipment Manufacturers) for Windows.

3.. Microsoft will allow OEMs to customize the Windows menus, desktop, and boot sequence, and will allow the use of non-Microsoft bootloaders.

4. Microsoft will publish on MSDN (the Microsoft Developer Network) the APIs used by IE, MJ, WMP, WM, and OE, so that competing web browsers, media players, and email clients can plug in properly to Windows.

5.. Microsoft will license on reasonable terms the network protocols needed for non-Microsoft applications or operating systems to connect to Windows servers.

6. Microsoft will not force business partners to refrain from supporting competitors to Windows, IE, MJ, WMP, WM, or OE.

7.. (Roughly same as F above.)

8.. Microsoft will let users and OEMs remove icons for IE, MJ, WMP, WM, and OE, and let them designate competing products to be used instead.

9.. Microsoft will license on reasonable terms any intellectual property rights needed for other companies to take advantage of the terms of this settlement.

10.. This agreement lets Microsoft keep secret anything having to do with security or copy protection. PFJ Section VI: Definitions

1. "API" (Application Programming Interface) is defined as only the interfaces between Microsoft Middleware and Microsoft Windows, excluding Windows APIs used by other application programs.

2.. "Microsoft Middleware Product" is defined as Internet Explorer (IE), Microsoft Java (MJ), Windows Media Player (WMP), Windows Messenger (WM), and Outlook Express (OE).

3.. "Windows Operating System Product" is defined as Windows 2000 Professional, Windows XP Home, and Windows XP Professional. The agreement can be summed up in one breath as follows: Microsoft agrees to compete somewhat less vigorously, and to let competitors interoperate with Windows in exchange for royalty payments. Considering all of the above, one should read the detailed terms of the Proposed Final Judgment, and ask one final question:

a.. Is the Proposed Final Judgement in the public interest? In the sections below, I'll look in more detail at how the PFJ deals with the above questions. How should terms like "API", "Middleware, and "Windows OS" be defined? The definitions of various terms in Part VI of the PFJ differ from the definitions in the Findings of Fact and in common usage, apparently to Microsoft's benefit. Here are some examples: Definition A: "API"

The Findings of Fact (? 2) define "API" to mean the interfaces between application programs and the operating system. However, the PFJ's Definition A defines it to mean only the interfaces between Microsoft Middleware and Microsoft Windows, excluding Windows APIs used by other application programs. For instance, the PFJ's definition of API might omit important APIs such as the Microsoft Installer APIs which are used by installer programs to install software on Windows.

Definition J: "Microsoft Middleware"

The Findings of Fact (? 28) define "middleware" to mean application software that itself presents a set of APIs which allow

users to write new applications without reference to the underlying operating system. Definition J defines it in a much more restrictive way, and allows Microsoft to exclude any software from being covered by the definition in two ways:

1.. By changing product version numbers. For example, if the next version of Internet Explorer were named "7.0.0" instead of "7" or "7.0", it would not be deemed Microsoft Middleware by the PFJ.

2.. By changing how Microsoft distributes Windows or its middleware. For example, if Microsoft introduced a version of Windows which was only available via the Windows Update service, then nothing in that version of Windows would be considered Microsoft Middleware, regardless of whether Microsoft added it initially or in a later update. This is analogous to the loophole in the 1995 consent decree that allowed Microsoft to bundle its browser by integrating it into the operating system. Definition K: "Microsoft Middleware Product" Definition K defines "Microsoft Middleware Product" to mean essentially Internet Explorer (IE), Microsoft Java (MJ), Windows Media Player (WMP), Windows Messenger (WM), and Outlook Express (OE).

The inclusion of Microsoft Java and not Microsoft.NET is questionable; Microsoft has essentially designated Microsoft.NET and C# as the successors to Java, so on that basis one would expect Microsoft.NET to be included in the definition. The inclusion of Outlook Express and not Outlook is questionable, as Outlook (different and more powerful than Outlook Express) is a more important product in business, and fits the definition of middleware better than Outlook Express.

The exclusion of Microsoft Office is questionable, as many components of Microsoft Office fit the Finding of Fact's definition of middleware. For instance, there is an active market in software written to run on top of Microsoft Outlook and Microsoft Word, and many applications are developed for Microsoft Access by people who have no knowledge of Windows APIs.

Definition U: "Windows Operating System Product"

Microsoft's monopoly is on Intel-compatible operating systems. Yet the PFJ in definition U defines a "Windows Operating System Product" to mean only Windows 2000 Professional, Windows XP Home, windows XP Professional, and their successors. This purposely excludes the Intel-compatible operating systems Windows XP Tablet PC Edition and Windows CE; many applications written to the Win32 APIs can run unchanged on Windows 2000, Windows XP Tablet PC Edition, and Windows CE, and with minor recompilation, can also be run on Pocket PC. Microsoft even proclaims at www.microsoft.com/windowsxp/tabletpc/tabletpcagenda.asp: "The Tablet PC is the next-generation mobile business PC, and it will be available from leading computer makers in the second half of 2002. The Tablet PC runs the Microsoft Windows XP Tablet PC Edition and features the capabilities of current business laptops, including attached or detachable keyboards and the ability to run Windows-based applications." and

Pocket PC: Powered by Windows

Microsoft is clearly pushing Windows XP Tablet PC Edition and Pocket PC in places (e.g. portable computers used by businessmen) currently served by Windows XP Home Edition, and thus appears to be trying to evade the Final Judgment's provisions. This is but one example of how Microsoft can evade the provisions of the Final Judgment by shifting its efforts away from the Operating Systems listed in Definition U and towards Windows XP Tablet Edition, Windows CE, Pocket PC, X-Box, or some other Microsoft Operating System that can run Windows applications.

How should the Final Judgment erode the Applications Barrier to Entry? The PFJ tries to erode the Applications Barrier to Entry in two ways:

1. By forbidding retaliation against OEMs, ISVs, and IHVs who support or develop alternatives to Windows.

2.. By taking various measures to ensure that Windows allows the use of non-Microsoft middleware.

A third option not provided by the PFJ would be to make sure that Microsoft raises no artificial barriers against non-Microsoft operating systems which implement the APIs needed to run application programs written for Windows. The Findings of Fact (?52) considered the possibility that competing operating systems could implement the Windows APIs and thereby directly run software written for Windows as a way of circumventing the Applications Barrier to Entry. This is in fact the route being taken by the Linux operating system, which includes middleware (named WINE) that can run many Windows programs.

By not providing some aid for ISVs engaged in making Windows-compatible operating systems, the PFJ is missing a key opportunity to encourage competition in the Intel-compatible operating system market. Worse yet, the PFJ itself, in sections III.D. and III.E., restricts information released by those sections to be used "for the sole purpose of interoperating with a Windows Operating System Product". This prohibits ISVs from using the information for the purpose of writing operating systems that interoperate with Windows programs.

How should the Final Judgment be enforced?

The PFJ as currently written appears to lack an effective enforcement mechanism. It does provide for the creation of a Technical Committee with investigative powers, but appears to leave all actual enforcement to the legal system.

What information needs to be released to ISVs to encourage competition, and under what terms?

The PFJ provides for increased disclosure of technical information to ISVs, but these provisions are flawed in several ways:

1. The PFJ fails to require advance notice of technical requirements

Section III.H.3. of the PFJ requires vendors of competing middleware to meet "reasonable technical requirements" seven months before new releases of Windows, yet it does not require Microsoft to disclose those requirements in advance. This allows Microsoft to bypass all competing

middleware simply by changing the requirements shortly before the deadline, and not informing ISVs.

2. API documentation is released too late to help ISVs

Section III.D. of the PFJ requires Microsoft to release via MSDN or similar means the documentation for the APIs used by Microsoft Middleware Products to interoperate with Windows; release would be required at the time of the final beta test of the covered middleware, and whenever a new version of Windows is sent to 150,000 beta testers. But this information would almost certainly not be released in time for competing middleware vendors to adapt their products to meet the requirements of section III.H.3, which states that competing middleware can be locked out if it fails to meet unspecified technical requirements seven months before the final beta test of a new version of Windows.

3. Many important APIs would remain undocumented

The PFJ's overly narrow definitions of "Microsoft Middleware Product" and "API" means that Section III.D.'s requirement to release information about Windows interfaces would not cover many important interfaces.

4. Unreasonable Restrictions are Placed on the Use of the Released Documentation

ISVs writing competing operating systems as outlined in Findings of Fact (?52) sometimes have difficulty understanding various undocumented Windows APIs. The information released under section III.D. of the PFJ would aid those ISVs—except that the PFJ disallows this use of the information. Worse yet, to avoid running afoul of the PFJ, ISVs might need to divide up their engineers into two groups: those who refer to MSDN and work on Windows-only applications; and those who cannot refer to MSDN because they work on applications which also run on non-Microsoft operating systems. This would constitute retaliation against ISVs who support competing operating systems.

5. File Formats Remain Undocumented

No part of the PFJ obligates Microsoft to release any information about file formats, even though undocumented Microsoft file formats form part of the Applications Barrier to Entry (see "Findings of Fact" ?20 and ? 39).

6. Patents covering the Windows APIs remain undisclosed

Section III.I of the PFJ requires Microsoft to offer to license certain intellectual property rights, but it does nothing to require Microsoft to clearly announce which of its many software patents protect the Windows APIs (perhaps in the style proposed by the W3C; see <http://www.w3.org/TR/2001/WD-patent-policy-20010816/#sec-disclosure>). This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users, as illustrated by this report from Codeweavers, Inc.:

When selecting a method of porting a major application to Linux, one prospect of mine was comparing Wine [a competing implementation of some of the Windows APIs] and a toolkit called 'MainWin'.

MainWin is made by Mainsoft, and Mainsoft licenses its software from Microsoft.

However, this customer elected to go with the Mainsoft option instead. I was told that one of the key decision making factors was that Mainsoft representatives had stated that Microsoft had certain critical patents that Wine was violating. My customer could not risk crossing Microsoft, and declined to use Wine. I didn't even have a chance to determine which patents were supposedly violated; nor to disprove the validity of this claim.

The PFJ, by allowing this unclear legal situation to continue, is inhibiting the market acceptance of competing operating systems.

Which practices towards OEMs should be prohibited?

The PFJ prohibits certain behaviors by Microsoft towards OEMs, but curiously allows the following exclusionary practices:

Section III.A.2. allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system. Section III.B. requires Microsoft to license Windows on uniform terms and at published prices to the top 20 OEMs, but says nothing about smaller OEMs. This leaves Microsoft free to retaliate against smaller OEMs, including important regional 'white box' OEMs, if they offer competing products.

Section III.B. also allows Microsoft to offer unspecified Market Development Allowances—in effect, discounts—to OEMs. For instance, Microsoft could offer discounts on Windows to OEMs based on the number of copies of Microsoft Office or Pocket PC systems sold by that OEM. In effect, this allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas, such as office software or ARM-compatible operating systems.

By allowing these practices, the PFJ is encouraging Microsoft to extend its monopoly in Intel-compatible operating systems, and to leverage it into new areas. Which practices towards ISVs should be prohibited? Sections III.F. and III.G. of the PFJ prohibit certain exclusionary licensing practices by Microsoft towards ISVs.

However, Microsoft uses other exclusionary licensing practices, none of which are mentioned in the PFJ. Several of Microsoft's products' licenses prohibit the products' use with popular non-Microsoft middleware and operating systems. Two examples are given below.

1. Microsoft discriminates against ISVs who ship Open Source applications The Microsoft Windows Media Encoder 7.1 SDK EULA states

... you shall not distribute the REDISTRIBUTABLE COMPONENT in conjunction with any Publicly Available Software. "Publicly Available Software" means each of (i) any software that contains, or is derived in any manner (in whole or in part) from, any software that is distributed as free software, open source software (e.g. Linux) or similar licensing or distribution models ... Publicly Available Software includes, without limitation, software licensed or distributed under any of the following licenses or distribution models, or

licenses or distribution models similar to any of the following: GNU's General Public License (GPL) or Lesser/Library GPL (LGPL); The Artistic License (e.g., PERL); the Mozilla Public License; the Netscape Public License; the Sun Community Source License (SCSL); ... Many Windows APIs, including Media Encoder, are shipped by Microsoft as add-on SDKs with associated redistributable components. Applications that wish to use them must include the add-ons, even though they might later become a standard part of Windows. Microsoft often provides those SDKs under End User License Agreements (EULAs) prohibiting their use with Open Source applications. This harms ISVs who choose to distribute their applications under Open Source licenses; they must hope that the enduser has a sufficiently up-to-date version of the add-on API installed, which is often not the case. Applications potentially harmed by this kind of EULA include the competing middleware product Netscape 6 and the competing office suite StarOffice; these EULAs thus can cause support problems for, and discourage the use of, competing middleware and office suites. Additionally, since Open Source applications tend to also run on non-Microsoft operating systems, any resulting loss of market share by Open Source applications indirectly harms competing operating systems.

2. Microsoft discriminates against ISVs who target Windows-compatible competing Operating Systems

The Microsoft Platform SDK, together with Microsoft Visual C++, is the primary toolkit used by ISVs to create Windows-compatible applications. The Microsoft Platform SDK EULA says: "Distribution Terms. You may reproduce and distribute ... the Redistributable Components... provided that (a) you distribute the Redistributable Components only in conjunction with and as a part of your Application solely for use with a Microsoft Operating System Product..." This makes it illegal to run many programs built with Visual C++ on Windows-compatible competing operating systems.

By allowing these exclusionary behaviors, the PFJ is contributing to the Applications Barrier to Entry faced by competing operating systems. Which practices towards large users should be prohibited? The PFJ places restrictions on how Microsoft licenses its products to OEMs, but not on how it licenses products to large users such as corporations, universities, or state and local governments, collectively referred to as 'enterprises'. Yet enterprise license agreements often resemble the per-processor licenses which were prohibited by the 1994 consent decree in the earlier US v.

Microsoft antitrust case, in that a fee is charged for each desktop or portable computer which could run a Microsoft operating system, regardless of whether any Microsoft software is actually installed on the affected computer. These agreements are anticompetitive because they remove any financial incentive for individuals or departments to run non-Microsoft software. Which practices towards end users should be prohibited? Microsoft has used both restrictive licenses and intentional incompatibilities to discourage users from

running Windows applications on Windows-compatible competing operating systems. Two examples are given below.

1. Microsoft uses license terms which prohibit the use of Windows-compatible competing operating systems

MSNBC (a subsidiary of Microsoft) offers software called NewsAlert. Its EULA states "MSNBC Interactive grants you the right to install and use copies of the SOFTWARE PRODUCT on your computers running validly licensed copies of the operating system for which the SOFTWARE PRODUCT was designed [e.g., Microsoft Windows(r) 95; Microsoft Windows NT(r), Microsoft Windows 3.x, Macintosh, etc.]. ..."

Only the Windows version appears to be available for download. Users who run competing operating systems (such as Linux) which can run some Windows programs might wish to run the Windows version of NewsAlert, but the EULA prohibits this. MSNBC has a valid interest in prohibiting use of pirated copies of operating systems, but much narrower language could achieve the same protective effect with less anticompetitive impact. For instance, "MSNBC Interactive grants you the right to install and use copies of the SOFTWARE PRODUCT on your computers running validly licensed copies of Microsoft Windows or compatible operating system."

2. Microsoft created intentional incompatibilities in Windows 3.1 to discourage the use of non-Microsoft operating systems

An episode from the 1996 *Caldera v. Microsoft* antitrust lawsuit illustrates how Microsoft has used technical means anticompetitively.

Microsoft's original operating system was called MS-DOS. Programs used the DOS API to call up the services of the operating system. Digital Research offered a competing operating system, DR-DOS, that also implemented the DOS API, and could run programs written for MS-DOS. Windows 3.1 and earlier were not operating systems per se, but rather middleware that used the DOS API to interoperate with the operating system. Microsoft was concerned with the competitive threat posed by DR-DOS, and added code to beta copies of Windows 3.1 so it would display spurious and misleading error messages when run on DR-DOS. Digital Research's successor company, Caldera, brought a private antitrust suit against Microsoft in 1996. (See the original complaint, and Caldera's consolidated response to Microsoft's motions for partial summary judgment.) The judge in the case ruled that

"Caldera has presented sufficient evidence that the incompatibilities alleged were part of an anticompetitive scheme by Microsoft." That case was settled out of court in 1999, and no court has fully explored the alleged conduct.

The concern here is that, as competing operating systems emerge which are able to run Windows applications, Microsoft might try to sabotage Windows applications, middleware, and development tools so that they cannot run on non-Microsoft operating systems, just as they did earlier with Windows 3.1.

The PFJ as currently written does nothing to prohibit these kinds of restrictive licenses and intentional incompatibilities, and thus encourages Microsoft to use these techniques to enhance the Applications Barrier to Entry, and harming those consumers who use non-Microsoft operating systems and wish to use Microsoft applications software.

Is the Proposed Final Judgment in the public interest?

The problems identified above with the Proposed Final Judgment can be summarized as follows:

a.. The PFJ doesn't take into account Windows-compatible competing operating systems

a.. Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry.

b.. The PFJ Contains Misleading and Overly Narrow Definitions and Provisions

a.. The PFJ supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered.

b.. The PFJ supposedly allows users to replace Microsoft Middleware with competing middleware, but it defines "Microsoft Middleware" so narrowly that the next version of Windows might not be covered at all.

c.. The PFJ allows users to replace Microsoft Java with a competitor's product—but Microsoft is replacing Java with .NET. The PFJ should therefore allow users to replace Microsoft.NET with competing middleware.

d.. The PFJ supposedly applies to "windows", but it defines that term so narrowly that it doesn't cover Windows XP Tablet PC Edition, Windows CE, Pocket PC, or the X-Box—operating systems that all use the Win32 API and are advertized as being "Windows Powered".

e.. The PFJ fails to require advance notice of technical requirements, allowing Microsoft to bypass all competing middleware simply by changing the requirements shortly before the deadline, and not informing ISVs.

f.. The PFJ requires Microsoft to release API documentation to ISVs so they can create compatible middleware—but only after the deadline for the ISVs to demonstrate that their middleware is compatible.

g.. The PFJ requires Microsoft to release API documentation—but prohibits competitors from using this documentation to help make their operating systems compatible with Windows.

h.. The PFJ does not require Microsoft to release documentation about the format of Microsoft Office documents.

i.. The PFJ does not require Microsoft to list which software patents protect the Windows APIs. This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users.

c.. The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft

a.. Microsoft currently uses restrictive licensing terms to keep Open Source apps from running on Windows.

b.. Microsoft currently uses restrictive licensing terms to keep Windows apps from running on competing operating systems.

c.. Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which could run a Microsoft operating system—even for computers running Linux. (Similar licenses to OEMs were once banned by the 1994 consent decree.)

d.. The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft

a.. Microsoft has in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems.

e.. The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs

a.. The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

b.. The PFJ allows Microsoft to discriminate against small OEMs -including regional "white box" OEMs which are historically the most willing to install competing operating systems—who ship competing software.

c.. The PFJ allows Microsoft to offer discounts on Windows (MDAs) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas.

f.. The PFJ as currently written appears to lack an effective enforcement mechanism. Considering these problems, one must conclude that the Proposed Final Judgment as written allows and encourages significant anticompetitive practices to continue, and would delay the emergence of competing Windows-compatible operating systems. Therefore, the Proposed Final Judgment is not in the public interest, and should not be adopted without addressing these issues.

Strengthening the PFJ

The above discussion shows that the PFJ does not satisfy the Court of Appeals' mandate. Some of the plaintiff States have proposed an alternate settlement which fixes many of the problems identified above. The States' proposal is quite different from the PFJ as a whole, but it contains many elements which are similar to elements of the PFJ, with small yet crucial changes. In the sections below, I suggest amendments to the PFJ that attempt to resolve some of the demonstrated problems (time pressure has prevented a more complete list of amendments). When discussing amendments, PFJ text is shown indented; removed text in shown in [bracketed strikeout], and new text in bold italics.

Correcting the PFJ's definitions

Definition U should be amended to read

U. "Windows Operating System Product" means [the software code (as opposed to source code) distributed commercially by Microsoft for use with Personal Computers as

Windows 2000 Professional, Windows XP Home, Windows XP Professional, and successors to the foregoing, including the Personal Computer versions of the products currently code named "Longhorn" and "Blackcomb" and their successors, including upgrades, bug fixes, service packs, etc. The software code that comprises a Windows Operating System Product shall be determined by Microsoft in its sole discretion.] any software or firmware code distributed commercially by Microsoft that is capable of executing any subset of the Win32 APIs, including without exclusion Windows 2000 Professional, Windows XP Home, Windows XP Professional; Windows XP Tablet PC Edition, Windows CE, PocketPC 2002, and successors to the foregoing, including the products currently code named "Longhorn" and "Blackcomb" and their successors, including upgrades, bug fixes, service packs, etc. Release of information to ISVs TBD Section E should be amended to read

... Microsoft shall disclose to ISVs, IHVs, IAPs, ICPs, and OEMs, [for the sole purpose of interoperating with a Windows Operating System Product,] for the purpose of interoperating with a Windows Operating System Product or with application software written for Windows, via the Microsoft Developer Network ("MSDN") or similar mechanisms, the APIs and related Documentation that are used by Microsoft Middleware to interoperate with a Windows Operating System Product. ...

Prohibition of More Practices Toward OEMs TBD

1. III. A. 2. of the Proposed Final Judgment should be amended to read

2. shipping a Personal Computer that (a) includes both a Windows Operating System Product and a non-Microsoft Operating System, or (b) will boot with more than one Operating System, or (c) includes a non-Microsoft Operating System but no Windows Operating System Product; or ... Prohibition of More Practices Toward ISVs TBD Prohibition of Certain Practices Toward End Users TBD

Summary

This document is not yet complete, but it does demonstrate that there are so many problems with the PFJ that it is not in the public interest. It also illustrates how one might try to fix some of these problems.

Dan Kegel

21 January 2002

Return to "On the Remedy Phase of the Microsoft Antitrust Trial"

MTC-00016096

From: Thomas Keitel
To: Microsoft ATR
Date: 1/23/02 10:31am
Subject: Microsoft Settlement

Dear Sirs,

I feel that the settlement between the United States and Microsoft should not go forward. Microsoft is a company that leverages its incredible bulk and power upon fledgling industries and companies and has no peer and no challenger other than the United States government. I have seen many of my personal choices as a consumer limited

due to Microsoft's "Embrace and Extend" farce of a philosophy. The protocols are open, yet there is no competition. Does this not make anyone with the ability to remedy the problem concerned?

Why can you not buy an Intel PC compatible product with an operating system other than Microsoft Windows preinstalled? Simply, because Microsoft has closed those doors to the competition illegally leveraging its market position to strong arm PC manufacturers.

Kind Regards,
Thomas Keitel

MTC-00016097

From: arh14@cornell.edu@inetgw
To: Microsoft ATR
Date: 1/23/02 10:31am
Subject: Microsoft Settlement

To whom it may concern:

I have been working in the software industry for three years as a Java software developer, and have been writing software for around seven years. I have been using Microsoft products (often by choice, often only by sheer necessity because of the de facto standard it has become), from DOS 4.0 in 1989, through Windows 2000. For as long as I've been using Microsoft products, Microsoft has shown its flagrant disrespect for the competitive marketplace, from snuffing out competitors to its DOS and Windows operating systems (e.g. Dr. DOS, OS/2), by engaging in predatory, secret, non-disclosable OEM deals to prevent OEMs from shipping alternative products, by engaging in "embrace-and-extinguish" practices to consume and later kill emerging threatening technologies (e.g. Java), and by intentionally introducing incompatibilities in its products which either make it difficult for competing third party applications to run, make it difficult for its protocols and formats to be reversed engineered for the sake of compatibility, or keep consumers upgrading needlessly. In parallel, Microsoft has shown a likewise lack of concern for the multitudinous security problems that have plagued its products, only recently claiming to be sincerely interested in security now that viruses and worms based on insecure but ubiquitous Microsoft products are flooding the net. Just recently the FBI became worried enough about a security flaw in Microsoft Windows XP, that it issued an alert. Microsoft's pitch of web services is even more worrisome, in that Microsoft may end up holding the personal information of millions of users who patronize web sites which are based on Microsoft PassPort and HailStorm.

In light of Microsoft's behavior I think that the Proposed Final Judgement is not sufficient. It is too weak, and too ambiguous and leaves Microsoft plenty of room to exploit loopholes (details at: <http://www.kegel.com/remedy/letter.html>). It is nothing more than a slap on the hand. The software industry has seen a steady stifling of innovation, whereas before Microsoft's dominance it was diverse and fertile. We cannot bring back all the technologies, companies, or bright ideas Microsoft suppressed, but we can do the right thing in evening the playing field again, by rejecting

the Proposed Final Judgement, and revising it to close many loopholes, clear up ambiguities, and once again make the marketplace competitive.

Thank you,
Aaron Hamid
Ithaca, New York
Java Applications Developer
Cornell University

MTC-00016098

From: proclous@iname.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:21am
Subject: Microsoft Settlement

I am writing to voice my opposition to the proposed settlement and my support of the "hold out states". The settlement would be a reward for Microsoft, not a remedy, by imposing "the Microsoft way" on America's children. Education is one arena where Microsoft does not dominate, but this settlement would expand their monopoly power into a market where it did not previously exist. This is bad for all of Microsoft's competitors, such as Apple and RedHat, and the court should not be in the business of putting Microsoft's competitors out of business. Please to not sacrifice our children to the evil empire.

Regards,
Michael L. Love
MacCHESS
Cornell University
<http://www.gnu-darwin.org/>

MTC-00016099

From: Albertson, Brett
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:34am
Subject: Microsoft Settlement

To whom it may concern,

I disagree with the proposed remedy of the Microsoft Anti-trust trial. This remedy would seem to extend, not limit, Microsoft's Monopolistic power. Any remedy should inately *decrease* their Monopolistic power. Maybe an alternative would be to make Microsoft fund billions of dollars worth of *competitors* software, such as Apple, Linux, and StarOffice. That would be a remedy which would increase competition at least. Or even better, would be to break Microsoft into two companies: Operating Systems and Applications. The Operating System business would then be enjoined from entering into any other business ventures outside of the Operating System arena. thank you,

Brett Albertson
Senior Research Analyst
Strategic Technologies
vs lbh pna ernq guvf, lbh'er n pevzvany
gunaxf gb gur QZPN.
brett.albertson@stratech.com
voice (919) 379-8449
fax (919) 379-8100

MTC-00016100

From: Jeff Nathanson
To: Microsoft ATR
Date: 1/23/02 10:31am
Subject: Microsoft Settlement

I don't think enough has been done to prevent Microsoft from future anti-competitive practices. It would be good to see a settlement which assures competition in

the OS and browser markets, as well as in other software which Microsoft sells. —

Jeff Nathanson
jeff@metrolink.com
voice: (954) 660-2434
http://www.metrolink.com/
Metro Link, Inc
5807 North Andrews Way
Fort Lauderdale, Florida 33309

MTC-00016101

From: Jeff Easter
To: Microsoft ATR
Date: 1/23/02 10:33am
Subject: Re: Tunney Act comments
Dept of Justice:

I wanted to make a coment on the proposed "final settlement" of the Microsoft Antitrust Trial. I am a Unix system administrator, and have been involved in the computer industry for the last 6 years. In saying that, I also feel I am no more nor less qualified to make comment on this settlement than any other citizen. I see several problems with the settlement, but the most troubling are the extremely narrow definitions that have been agreed to when defining what pieces of Microsoft's software, code, and product line will be affected. I think it will be all to easy for them to change a version number here, a name there, and continue to monopolize the market as they have always done, and will continue to due unless the DOJ steps in and applies real restrictions to them.

Thank You for your time and consideration.

Jeff Easter
PO Box 11813
Chandler, AZ 85248
480-649-0333

MTC-00016102

From: nosettlement@
mem.mailshell.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:33am
Subject: Microsoft Settlement

The proposed settlement is an extremely bad idea for a multitude of reasons. Section III(J)(2) contains some very strong language against not-for-profits. These include Apache, Perl, PHP, Sendmail, Samba and the like. All could be excluded because the language says that it need not describe nor license API, Documentation, or Communications Protocols affecting authentication and authorization to companies that don't meet Microsoft's criteria as a business: "... (c) meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business, ..."

Section III(D), concerning middleware, again allows Microsoft to exclude Open Source vendors entirely and the US government. There are a large number of other failures in the proposed settlement. I oppose it strongly.

MTC-00016103

From: jeff@landunknown.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:33am
Subject: Microsoft Settlement

The proposed settlement is a disgrace. It doesn't punish Microsoft in any real way at

all, and will allow this juggernaut to continue to stomp out innovation and real competition.

I sincerely hope this slap on the wrist isn't the final solution...

Thank you,
—Jeff C.
jeff@landunknown.com

MTC-00016104

From: Benjamin Trent
To: Microsoft ATR
Date: 1/23/02 10:33am
Subject: Microsoft Settlement

I don't believe that the proposed settlement is sufficient due to the vague outline regarding enforcement. I think there should be a more definite structure in place concerning how this settlement will be enforced before it is finalized.

MTC-00016105

From: ralph.s.thomas@mail.sprint.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:33am
Subject: Microsoft Settlement

As a US citizen, I support and endorse the Microsoft Settlement, and encourage the US DOJ to resolve this matter quickly. Thank you.

Ralph S. Thomas
Product Technical Support
Sprint LTD I.T. Field Services
Desk: 913-345-6808
PCS: 816-309-6440
Mail: KSOPKJS102
Mailto:ralph.s.thomas@mail.sprint.com

MTC-00016106

From: Aaron Manela
To: Microsoft ATR
Date: 1/23/02 10:33am
Subject: Microsoft Settlement

To Whom it May Concern,
In accordance with the Tunney act I wish to complain that the proposed settlement in the Microsoft case is not in the public interest, or even in the economic interest of this nation.

I work in the IT industry, and I know from personal experience that Microsoft's anti-competitive behavior has cost businesses across this nation huge sums of money.

The proposed settlement lacks effective enforcement. It fails to enforce anticompetitive licensing terms, intentional incompatibilities in the Windows OS's, discriminatory behavior against OEMs and open source software.

It fails to prevent predatory monopoly practices in the future.

The Proposed Final Judgement also uses definitions of the Windows "API" that leave out many Microsoft Windows products which are part of the Microsoft Monopoly.

Microsoft should be broken up into at least two entities, one for the OS and one for the applications. Anything short of this will simply allow Microsoft to continue its business as usual policies.

Thank You,
Aaron Manela
1329 Creekside Drive
Charlottesville VA 22902

MTC-00016107

From: Don Davis
To: Microsoft ATR
Date: 1/23/02 10:33am
Subject: Microsoft Settlement

To whom it may concern:
I am against the proposed final judgment in US vs. Microsoft. I feel the damage Microsoft has done to the software and OS marketplace is incalculable, and the proposed settlement does little to correct it. I don't feel the settlement levels the playing field for competing operating systems or office software, and would like to see a much stronger penalty imposed. The proposed settlement does not sufficiently relieve Microsoft of the ability to leverage hardware and computer manufacturers unfairly against competing products, nor does it adequately open the Windows API to programmers.

Regards,
Don Davis / Tel: 937.235.0096

MTC-00016108

From: C. Schmidt
To: Microsoft ATR
Date: 1/23/02 10:33am
Subject: Microsoft Settlement

To whom it may concern (anyone who wants a tested reliable product):

I do not believe that allowing Microsoft to "donate" \$1 billion worth of computers and software is a fair punishment. Apple Computer, for example, dominates the education market. Allowing Microsoft to enter this education market without competition, but as a "punishment", is ludicrous. This costs Microsoft nothing, and only serves to strengthen their grip. The problem here is you have an entire country (globe?) now conforming to one standard (Wintel). You cannot change this. However, crippling someone who does not play fair by threatening the weak, is an option. You have to hit them where it hurts—TAKE THEIR CASH. In light of the recent filing by AOL/TimeWarner, I hope Microsoft is punished for the illegal strategies it used to push Netscape (a superior product at the time) out of the market.

C. Schmidt

MTC-00016109

From: Khalid Qureshi
To: Microsoft ATR
Date: 1/23/02 10:33am
Subject: Micro\$oft \$ettlement
Dear DOJ-

I am opposed to the current Microsoft settlement as it does nothing to change the way that Microsoft illegally oppresses innovation through it's predatory practices.

The problem is not totally that Microsoft is quite large and it's software is well distributed, but that they use their size and market penetration to enforce practices designed to hurt competitors. There was ample evidence of these practices in the Anti-Trust trial, in which Microsoft was found guilty of being a monopoly and using unfair tactics to assure that it remained so.

For example, the open-source SAMBA project implements a network interface allowing non-Microsoft operating systems to connect to computers running Microsoft Windows operating systems for the purpose

of moving files, distributing email, and sharing printers, among other things. This project has lead to increased adoption of non-Microsoft operating systems within corporations. This is a threat to Microsoft, so they are changing the protocol WITHOUT providing any details on how the protocols will change.

Add to the this the new draconian liscensing scheme which requires companies to upgrade software or face harsh penalties by Microsoft, an you can see that Microsoft is using its size to push all non-Microsoft products out of the market place. This is the problem with Microsoft, and one that the USDOJ has chosen not to address.

These tactics continue even as we speak because the USDOJ caved into pressure to basically drop the case. I am ashamed of the DOJ for the way that they "settled". Many economists, laywers, computer industry specialists, and computer users have poured over the document and found that the "settlement" amounts to this:

Promise to be nice for at least five years, and if not, then we will send someone to look after you, and this person will not have access to any of your code and will thus be unable to gauge the impact of your business decisions. Effectively, we will do nothing but have a symbolic post to address your practices.

It was a great Christmas present to Microsoft, but a signal to the Computer Industry that the Government is not willing to enforce any real remedy. That is why nine states (I am ashamed to say that my state, OHIO, did not participate) did not join the "settlement", and scores of companies (most recently Netscape/AOL) have brought suits against Microsoft. The Government has shown incredible cowardice, and people are dissatisfied and will not take that cowardice for for a true settlement.

Please implement a fair remedy for the good of the computer industry. I use Linux, and I love it because it provides what I need, including interoperability with Microsoft products. At work, I am forced to use Microsoft because of the liscensing structure and the closed (i.e. Word *.doc and Powerpoint *.ppt) formats. Open these formats, and at least the engineering staff would jump at the chance to switch from the bug-ridden Microsoft Windows systems to a more robust and cheaper alternative ... like Linux. This cannot happen unless Microsoft is made to open the only thing that keeps them a monopoly—not good products, but closed formats pushing others out of the way.

Thank you for your time,
Khalid Qureshi
Cincinnati, OH

MTC-00016110

From: Douglas Rowe
To: Microsoft ATR
Date: 1/23/02 10:34am
Subject: Microsoft Settlement

This settlement is very bad and does little to remedy the real problems in Microsoft's business practices.

MTC-00016111

From: Rob
To: Microsoft ATR

Date: 1/23/02 10:33am
Subject: Microsoft Settlement
Hash: SHA1

This Proposed settlement is not in the best interests of the public nor business at large.

—The PFJ doesn't take into account Windows-compatible competing operating systems

Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry.

—The PFJ Contains Misleading and Overly Narrow Definitions and Provisions

The PFJ supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered. The PFJ allows users to replace Microsoft Java with a competitor's product—but Microsoft is replacing Java with .NET. The PFJ should therefore allow users to replace Microsoft.NET with competing middleware.

The PFJ requires Microsoft to release API documentation—but prohibits competitors from using this documentation to help make their operating systems compatible with Windows.

—The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft
Microsoft currently uses restrictive licensing terms to keep Open Source apps from running on Windows.

Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which could run a Microsoft operating system—even for computers running competing operating systems such as Linux! (Similar licenses to OEMs were once banned by the 1994 consent decree.) I also agree with the problems identified in Dan Kegel's analysis (on the Web at <http://www.kegel.com/remedy/remedy2.html>).

G. Robert Mattix
502 Dartmouth Lane
Allen, Texas 75002
214-547-8551
reply@chickenhut.org

MTC-00016112

From: Brandt Deakin
To: Microsoft ATR
Date: 1/23/02 10:34am
Subject: Microsoft Settlement

I feel that the input of the public can be crucial to the democratic process, and I think that the proposed settlement is a bad idea.

Brandt Deakin
Salt Lake City, Utah

MTC-00016113

From: Brent Cook
To: Microsoft ATR
Date: 1/23/02 10:34am
Subject: Microsoft Settlement
To Whom it Concerns,

I have read the proposed settlement in the Microsoft antitrust trial and am opposed to it. The settlement does not remedy the actions currently being committed by Microsoft, nor does it inhibit its ability to commit similar actions in the future. Many of the provisions are vaguely worded and do

little to reduce Microsoft's status as a monopoly.

For instance, provision C.3 states that Microsoft may restrict any OEM licensee from automatically launching at boot time any product that has a user interface of similar size and shape to a user interface provided by a Microsoft Middleware Product. This provision does not prevent Microsoft from producing a product that matches the size and shape of any other vendor's product, thereby excluding its inclusion as an automatically launched product by an OEM. Skinning technology such as that used in Microsoft Media Player would suit this purpose well for Microsoft. I have the utmost concerns, however, with section J.1. This section prohibits a Final Judgement from requiring Microsoft to document, disclose or license to third parties portions of APIS or Documentation or portions or layers of Communications Protocols that would "compromise security of a particular installation or group of installations of anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems..." This provision allows Microsoft to prevent product interoperability with any third party vendor's product which provides security, digital rights management, anti-virus, encryption, communication or authentication services. In short, Microsoft is under no obligation to provide documentation for APIs required for any other product to share files, play digital media, communicate, authenticate or interoperate with any future Microsoft Operating System, Application or Middleware.

Please consider this my vote against the proposed Microsoft antitrust settlement and my vote for a stronger, more specific settlement that opens Microsoft to competitors and eliminates its monopoly status.

Brent Cook
1801 S. Lakeshore Blvd. #104
Austin, TX 78741

MTC-00016114

From: Rod Richeson
To: Microsoft ATR
Date: 1/23/02 11:30am
Subject: Microsoft Settlement

I am opposed to the current settlement between the United States Government and Microsoft Corporation, specifically Section III(J)(2) Specifically, the language says that it need not describe nor license API, Documentation, or Communications Protocols affecting authentication and authorization to companies that don't meet Microsoft's criteria as a business: "... (c) meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business." For this settlement to be fair Microsoft should not be making decisions on the openness of the API, but allow all interested parties to use calls previously unavailable to them, but available to Microsoft applications

Thanks You,
Rodney S. Richeson
Hillsboro, OR

MTC-00016115

From: Don Davis

To: Microsoft ATR
Date: 1/23/02 10:34am
Subject: Microsoft Settlement

To whom it may concern:

I am writing to give my comments on the Microsoft antitrust settlement. I believe this settlement is counter to the interests of the American public, deleterious to the American economy, and not adequate given the findings of fact in the trial.

Microsoft's anti-competitive practices are counter to the law and spirit of our free-enterprise system. These practices inhibit competition, reduce innovation, and thereby decrease employment and productivity in our nation. Microsoft's monopolistic practices cause the public to bear increased costs and deny them the products of the innovation which would otherwise be stimulated through competition.

The finding of fact which confirmed that Microsoft is a monopoly requires strict measures which address not only the practices they have engaged in in the past, but which also prevent them from engaging in other monopolistic practices in the future.

It is my belief that a very strong set of strictures must be placed on convicted monopolists to insure that they are unable to continue their illegal activities. I do not think that the proposed settlement is strong enough to serve this function.

Regards,
Don Davis / Tel: 937.235.0096

MTC-00016116

From: Eli.Dourado@furman.edu@inetgw
To: Microsoft ATR
Date: 1/23/02 10:34am
Subject: Microsoft Settlement

Dear Sir or Madam,

I believe the proposed settlement with Microsoft will not reduce their predatory behavior. I propose two further additions.

1. Microsoft ought to be required to open all file formats so that third-party applications will be able to view and edit them in a FULLY functional manner.

2. Microsoft ought to be prohibited from charging more for its products "off the shelf" than it does to original equipment manufacturers. Without these two restrictions, the problem is not solved.

Regards,
Eli Dourado

MTC-00016117

From: Keith D Wissing
To: Microsoft ATR
Date: 1/23/02 10:34am
Subject: Microsoft Settlement

I believe the proposed settlement to the Microsoft anti-trust case is a bad idea. It leave too many terms define in ways that will allow Microsoft to continue their anti competitive behavior.

Keith D. Wissing
<hitiek@iname.com>
<hitiek@bigfoot.com>

MTC-00016118

From: Michael Johnsen
To: Microsoft ATR
Date: 1/23/02 10:35am
Subject: Microsoft Settlement
To Whom it May Copcern:

I would like to submit these comments on the Proposed Final Judgement in United States v. Microsoft.

As a long-time computer user, I operated a Bulletin Board System (BBS) for several years in the mid-80's and currently maintain a couple of websites. I use computers daily, and have extensive experience with a variety of platforms and software systems.

I am astounded that after found guilty of what Attorney General Ashcroft says is "Microsoft's unlawful conduct," in operating a monopoly, the remedy solution in the Proposed Final Judgment (PFJ) fails to BEGIN to address serious issues and practices. After reading Dan Kegel's (and many others in a wide range of media) points about some of the failures in the PFJ, even if 1/3 of these concerns are legitimate I am astounded at how weak this "remedy" is worded. There are holes in here Microsoft can drive a tractor trailer through. The wording doesn't include Windows XP??? Obviously, this was composed by someone sympathetic to Microsoft or by someone who doesn't have a clue. The lack of punishment here is laughable and only adds to the appearance that the legal process is corrupt. On behalf of the American legal system, I suggest you address these problems, or you set the example that breaking U.S. laws results in no punishment- not a good example for our youth, Microsoft, or future monopolistic companies.

Thanks for your consideration of my brief comments.

Michael Johnsen

MTC-00016119

From: Aaron Sakowski
To: Microsoft ATR
Date: 1/23/02 10:35am
Subject: Microsoft Settlement

I have read about the proposed settlement and am against it in it's current state. I feel that it is very weakly worded and requires unsubstantial concessions from Microsoft. Please consider this as my vote against the proposed settlement.

Aaron Sakowski
2489 Overlook Rd., 211
Cleveland, OH 44106
...and I know that if I'm going to have any life anymore it's because I'm still willing to fight and die for that inch. Because that's what living is. It's the six inches in front of your face.

—Tony D'Amato (Al Pacino)
Any Given Sunday

MTC-00016120

From: turnerwm@excite.com
To: MS ATR
Date: 1/23/02 10:32 am
Subject: Microsoft Settlement
Dear Sir or Madam:

The proposed settlement is a bad idea. Please consider requiring Microsoft to publish complete documentation of all interfaces between software components, all communications protocols, and all file formats as a possible solution.

Sincerely,
William Turner, Ph.D.

MTC-00016121

From: W. Chris Shank

To: Microsoft ATR
Date: 1/23/02 10:35am
Subject: Microsoft Settlement

I think the proposed Microsoft settlement is a very bad idea. I am a computer professional (BS Computer Engineering from Penn State, software engineer by profession) so I see negative effects of Microsofts dominance every day. I urge you to reject this settlement for one that actually punishes Microsoft and opens the industry to competition. For some reason, it is thought that Microsoft was the main driver behind the technological economic boom of the late 90's, when in fact we experienced a technological economic boom due to the innovation of the internet and world-wide-web, in spite of Microsoft. Microsoft has never been on the leading edge of technology. The consistently reinvent the wheel and claim Eureka! Opening the market to competition will allow the technical community to really innovate which will in turn spur the economy. Please consider my concerns and reject the settlment.

Thank you,
William "Chris" Shank
1560 Greenlawn Rd
Paoli, PA 19301

MTC-00016122

From: Twp121@aol.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:34am
Subject: Microsoft Settlement

I believe that the current proposed final judgement in the Microsf Anti-trust case, as it stands, is a bad idea.

The current proposal allows Microsoft to continue in it's anti-competitive practices.. Microsoft has a history of anti-competitive practices as shown in the 1996 Caldera V. Microsoft case where a judge found that "Caldera has presented sufficient evidence that the incompatibilities alleged were part of an anticompetitive scheme by Microsoft." (UNITED STATES DISTRICT COURT DISTRICT OF UTAH— CENTRAL DIVISION Case No. 2:96-CV-645 B)

If the current proposal passes, the people of this nation will have been done a dis-service by their legal system.

Thank you,
Matthew Messenger
10122 copeland dr
Manassas VA, 20109

MTC-00016123

From: Josh Staiger
To: Microsoft ATR
Date: 1/23/02 10:36am
Subject: Microsoft Settlement
To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future.

The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,
Josh Staiger

MTC-00016124

From: Whitehead, Myron MD
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:29am
Subject: Microsoft Settlement Comment

Hello,

I just wanted to take this opportunity to express my opinion regarding the proposed Microsoft antitrust settlement. In my opinion, the proposed settlement falls well short of what is needed. In fact, in many ways, it may actually facilitate Microsoft's monopoly position by integrating Microsoft software products into the educational system even earlier and more than they currently are. We need competition and choice in the operating system marketplace; Microsoft has been shown to use unfair practices and a substantial part of their current success is reasonably attributed to those unfair practices. The proposed settlement is, at best, an annoyance for Microsoft, and, at worst, an ally in sustaining their stranglehold on the operating system market.

Sincerely,
Myron E. Whitehead

MTC-00016125

From: Jason Pellerin
To: Microsoft ATR
Date: 1/23/02 10:35am
Subject: Microsoft Settlement

The proposed final judgement is nothing more than a rehash of the 1995 consent decree. It fails in numerous ways:

<http://www.kegel.com/remedy/remedy2.html>

to restrict Microsoft's abuse of its monopoly. It should also be remembered that it was Microsoft's failure to comply with the 1995 consent decree and the conduct remedies therein, that caused the US to begin the current case. A structural remedy is required in this case:

Microsoft must not be encouraged to obey the law, it must be rendered incapable of breaking it.

The proposed final judgement is not in the public interest.

Sincerely,
Jason Pellerin

MTC-00016127

From: M.A.DeLuca
To: Microsoft ATR

Date: 1/23/02 10:35am
Subject: Microsoft Settlement

Having considered the Proposed Final Judgement (PFJ) in the Microsoft antitrust case, and speaking as a computer industry professional who has been actively engaged in the technology since before the rise of Microsoft, I would like to offer the following comments:

The PFJ does—not— address key issues of the monopolization violations affirmed by a unanimous 7-0 Court of Appeals in June 2001. It is my understanding that Microsoft's violations of antitrust law are beyond question and that legal action taken at this point should be intended to curtail any effort by Microsoft to continue with these activities. Thus, as an industry professional, I oppose the proposed settlement.

Despite the rejection by the Court of Appeals of Microsoft's petition for rehearing on how Microsoft unlawfully maintained its monopoly with contractual tying and middleware bundling, the proposed Department of Justice (DOJ) settlement does nothing to address this issue.

The settlement makes no effort to restore competition in the Operating System (OS) market that Microsoft monopolized unlawfully. Recommendations from the DC Circuit ruled that a remedy must "unfetter the market from anticompetitive conduct" and "terminate the illegal monopoly." Proposed solutions included source code licensing and provisions to allow OEMs (Original Equipment Manufacturers) to make changes to the OS itself, yet the settlement does nothing to address the issue.

The current version of Windows XP engages in the same predatory practices that are harmful to competition as earlier versions were to Netscape. There is no indication that, despite having engaged in unlawful behavior, Microsoft has changed their practices to compete in the market lawfully. There is no protection against favorable pricing deals to OEMs that support Microsoft policies or the "commingling of code" that the Court of Appeals claims violated the Sherman Act.

The settlement gives Microsoft the ability to stifle competitors' legitimate access to interoperability data by allowing Microsoft too much flexibility to withhold information for security reasons. This could have disastrous consequences for the burgeoning open source software movement in general, and Microsoft's most likely competitive rival, the Linux OS, in particular.

Microsoft also has, under the terms of the settlement, participation in the Technical Committee overseeing compliance with the settlement. A committee which works within Microsoft's headquarters, is paid by Microsoft, and which cannot tell the public how well Microsoft is complying with the settlement!

In short, Microsoft has repeatedly demonstrated a tendency to employ creative means of circumventing or delaying legal action, and yet this PFJ is riddled with opportunities for Microsoft to continue to abuse its monopoly and further impede competition in the IT industry. It does little or nothing to address Microsoft's unlawful practices, ill-gotten gains, or restrict continued similar behavior.

Did Microsoft write this document?
Michael A. DeLuca II
3415 W. Mill Road
Hatboro, PA 19040

MTC-00016128

From: Matt Giger
To: Microsoft ATR
Date: 1/23/02 10:36am
Subject: Microsoft Settlement

Dear Sirs,

I disagree strongly with the proposed settlement of the Microsoft case. It is a travesty that they, a corporate entity, is allowed to effectively kill other corporate entities, be found guilty and just play legal and political hardball to get off without any realistic punishment or even serious oversight.

It is as if a murderer was given a slap on the wrist and a reloaded gun at his trial. The Department of Justice has a responsibility to enforce *all* of the laws that it was created to enforce, not the ones that are politically expedient.

Matthew Giger
President
Lunar Software, Inc.
PO Box 14664
Portland, OR 97293
mgiger@lunarsoft.com

MTC-00016129

From: James F. Schmitz
To: Microsoft ATR
Date: 1/23/02 10:35am
Subject: Microsoft Settlement

I am not impressed with the proposed settlement at all. This isn't even a slap on the wrist to Microsoft and they are laughing all the way to the bank and back. Please reconsider.

James F. Schmitz
IT Manager

MTC-00016130

From: scott coughlin
To: Microsoft ATR
Date: 1/23/02 10:35am
Subject: Microsoft Settlement

I find the proposed antitrust settlement with Microsoft tries but fails to demand that Microsoft do more to open up its APIs to competitors. The fine print makes it clear that Microsoft could pretty much continue with business as usual.

A more effective remedy would be one that required Microsoft to standardize and publicize the entire set of Windows APIs and the file formats of its Office applications (another key to Microsoft's monopoly "lock-in")—with the express goal of allowing competitors to build Windows software applications, and operating systems, that compete with Microsoft on a level field.

Please consider this when making your decision.

Thanks,
Scott Coughlin
p.s. the text of this letter was taken from the article that Scott Rosenberg wrote in Salon.

MTC-00016131

From: vatavian@clear.vatavia.net@inetgw
To: Microsoft ATR
Date: 1/23/02 10:44am

Subject: Microsoft Settlement

I feel that the proposed Microsoft settlement falls short in many ways. Firstly, I agree with Dan Kegel's comments in his open letter, which I am sure you have and which is available at: <http://www.kegel.com/remedy/letter.html>

I do not see such a provision in the revised proposed Final Judgment, but I would also like to say that any offer by Microsoft to "give" Microsoft products to schools is in fact a transparent attempt by Microsoft to preserve and extend their software monopoly rather than an effective remedy for their past and current monopolistic practices.

Mark Gray
Atlanta, GA

MTC-00016132

From: Agris Taurins
To: Microsoft ATR
Date: 1/23/02 10:36am
Subject: Microsoft settlement

Simply put, the purported settlement in the Microsoft vs DOJ is bad.

Since Microsoft has been convicted of violating the anti-trust act, it needs to be actually punished for doing so. The purported settlement can barely be considered a slap on the wrist, let alone a punishment. Furthermore, I can see very little in the proposed settlement that will actually rectify Microsoft's predatory business practices.

I'm advocating that Microsoft be run out of business, but neither should they profit from a "punishment". Punishment should be just that, something that is unpleasant and perhaps painful.

Agris Taurins
5101 South 54th Street
Lincoln, NE 68516

MTC-00016133

From: John Forr
To: Microsoft ATR
Date: 1/23/02 10:47am
Subject: Microsoft Settlement

I think that the proposed settlement idea for the Microsoft case is a bad idea.

John Forr
New Cumberland PA

MTC-00016134

From: Robert Stromberg
To: Microsoft ATR
Date: 1/23/02 10:36am
Subject: Microsoft Settlement

I am against the proposed final judgment in US vs. Microsoft. I feel the damage Microsoft has done to the software and OS marketplace is incalculable, and the proposed settlement does little to correct it. I don't feel the settlement levels the playing field for competing operating systems or office software, and would like to see a much stronger penalty imposed. The proposed settlement does not sufficiently relieve Microsoft of the ability to leverage hardware and computer manufacturers unfairly against competing products, nor does it adequately open the Windows API to programmers.

Sincerely,
Robert Stromberg
Riverton, UT

MTC-00016135

From: Chad Hurley

To: Microsoft ATR

Date: 1/23/02 10:36am
Subject: Microsoft Settlement

I would like to add my comment that I think the Microsoft settlement is a bad idea. This settlement will allow a large corporation to buy their way out of trouble and continue their dishonest practices as in the past.

MTC-00016136

From: bopbone@yahoo.com@inetgw
To: Microsoft ATR

Date: 1/23/02 10:37am
Subject: Microsoft Settlement
To Whom It May Concern:

I am against the proposed settlement. The Proposed Final Judgement is not in the public interest. Simplistic restrictions that fail to perceive or deal with the infrastructural nature of Microsoft's products are ineffective.

We are in a situation where Microsoft's products are a monopoly because the products have become a national infrastructure. The ubiquitous nature of the Microsoft operating system makes its use similar to the requirements to drive on roads or speak on a telephone in order to engage in effective commerce. Obviously roads are good; a common language is good. However, abusive monopolistic control of roads or control of language is bad.

Think back to the days when our country built paved roads. If one company had dominated that process, owned all the roads and controlled access to them, controlled the business allowed to operate next to them, that situation would be comparable to the software world with Microsoft today. That road-owning company would have controlled which gas stations were allowed, what they were allowed to charge for gas, etc. The road company could license roadside lots only to stores that sold products approved by the road company.

Microsoft has built a railroad or a toll road system. It is ubiquitous and they control the access. Because of the monopoly nature of Microsoft's products, people cannot engage in effective commerce without using the "roads" Microsoft has built.

A piecemeal approach does not correct the problem. Any approach that focuses on one product or practice is comparable to focusing on the national road company at one intersection. Perhaps you force a reduction in tolls along one stretch of highway. The road company raises tolls elsewhere. You force the road company to allow stores nationwide to sell coffee. The road company starts giving away coffee with each toll paid.

The judge didn't think of forbidding the road company from giving away coffee and, if she had, the road company would've done something slightly different but equally effective. As long as the road company is not restricted to roads, there are too many options, too many ways to attack and respond, for overly-specific restrictions to be effective.

The problem is that the road company does not focus solely on roads. In real life, the building of roads is considered important enough that, although companies are paid to build them, no company owns them. With only a small percentage of exceptions, the

people, represented by their governments, own the roads.

Consider another example that is appropriate here only because Microsoft is in a monopoly situation. Most people in this country use English to communicate. They depend upon the language. They invent new words or use words in new contexts as needs arise. However free they are to invent new words or use other languages, they must rely on using basic English when engaging in commerce.

Because of its monopoly, Microsoft's operating system software is comparable to the English language in this context. To the extent that people use computers to communicate, whether via email to their mother or via inventory software to communicate how many widgets are in stock to their purchasing department, that usage is similar to using English to communicate the same information via telephone or in person. They rely on the constructs built from language—human or machine - to communicate.

Imagine if one company owned the English language and could place enormous restrictions upon its use. The thought seems ridiculous but the similarities are strong.

Railroads, roads and English comprise an infrastructure whose use is, by virtue of a monopoly, a requirement for commerce in the USA. Microsoft's monopoly software comprises a national infrastructure, one that is written in computer languages and is used by people to communicate.

Simplistic restrictions that fail to perceive or deal with the infrastructural nature of Microsoft's products are ineffective. Road companies shouldn't control every roadside business. No company should have any control over language used for commerce. Microsoft should not be able to place restrictions on the use of their products.

Specifically: Microsoft's Windows Media Encoder 7.1 SDK EULA prohibits distribution with Open Source software; yet it is Open Source software that offers the best alternatives to Microsoft Software. The DOJ proposal does nothing to correct this. In all instances, Open Source and any other product offering an alternative to Microsoft's software must be allowed to interoperate with Microsoft's. People must be allowed to mix and match Microsoft's software with other software in any and all fashions, unrestrained by Microsoft's ideas about what is appropriate. Period, for all products in all situations, until a period of time after the monopoly has ended.

The proposed settlement fails to require advance notice of technical requirements. API documentation is released too late to help ISV's. Many important API's would remain undocumented. Unreasonable restrictions are placed on the released documentation. File formats remain undocumented. Patents covering the Windows API remain undisclosed. Innovative competition undoubtedly will come from smaller companies and yet smaller OEM's aren't given the same protections as the top 20 OEM's.

Microsoft discriminates against ISV's who target Windows-compatible operating systems. Microsoft uses license terms which

prohibit the use of their products with Windows-compatible operating systems. Microsoft created intentional incompatibilities in Windows 3.1 to discourage the use of non-Microsoft operating systems.

The Proposal Final Judgement is not in the public interest.

Sincerely,
Jeff Caldwell
348 W. Crestview Avenue
Boalsburg, PA 16827

MTC-00016137

From: Christian Nielsen
To: Microsoft ATR
Date: 1/23/02 10:38am
Subject: Microsoft Settlement

I don't really know that much about the current state of the DOJ's case against Microsoft, but as the UNIX System Administrator at a small liberal arts college in St. Peter, MN, I know that Microsoft has certainly made my life difficult on multiple occasions. It is next to impossible to inventory licenses for 3000+ Windows machines, and all it takes is one disgruntled person on our campus to make a call to the Business Software Alliance, a Microsoft backed organization, and we get slapped with an audit (which we have to pay for, no less!).

Also, Microsoft's refusal to publish thorough APIs for things such as their implementation of the SMB protocol prevent other operating systems from being fully integrated with the "Microsoft" part of our network. SAMBA, the open-source implementation of the SMB protocol works great for most things, but Microsoft keeps changing something with each new release of Windows that breaks SAMBA. A month or two after later, the SAMBA team usually has reverse engineered Microsoft's changes so everything works great again, but 2 months is not a trivial wait! If Microsoft was forced to publish good APIs for their products and protocols, I have no doubt that free, open source, GPL software such as SAMBA could and would provide a much higher and more immediate level of compatibility with MS products.

Same story with Microsoft's line of Office products. Compatibility providing products for Linux such as AbiWord and StarOffice generally have no trouble reading MS-Word formatted documents, as long as the MS-Word document was created with an older version of MS-Office.

Microsoft intentionally obfuscates the way MS-Office writes documents so that competing products will not be able to properly render MS-Word documents. Again, reverse engineering of Microsoft's products eventually leads to compatibility with open source and free products, but the wait can be prohibitive. If Microsoft would simply publish their APIs, products like StarOffice could be re-written to be compatible *while* MS-Office is being written, not *after* it has been released.

Thanks for your time, I hope my input will be useful during this comment period provided by the Tunney Act. Also, please make sure that you can verify the source of comments. I wouldn't put an attempt to fake support past certain groups.

Chris Nielsen
Unix Administrator
Gustavus Adolphus College
cnielsen@gac.edu
(507) 933-7064
IT Department
800 W. College Ave
St. Peter, MN 56082

MTC-00016138

From: jay ball
To: Microsoft ATR
Date: 1/23/02 10:33am
Subject: Microsoft Settlement
To The Justice Department,

I would like to express my concern that Microsoft is essentially receiving a slap on the wrist for illegal deeds performed that are more ominous than those done by Standard Oil a hundred years ago. I do hope that Microsoft is both punished and must pay retribution to the level of their crimes.

In reading the Proposed Final Judgment, I find that it abounds with narrow definitions and gaping loopholes. Here I present some of the points which stuck out to me:

The settlement still does not solve the problem of people and small businesses being forced to purchase Microsoft Windows along with a new computer even though I and others will never use it. Their EULA forbids me from upgrading my computer by taking the operating system from the old machine and installing it on the new machine. The settlement specifically allows Microsoft give OEM discounts based on the quantity of other Microsoft products that they offer. So, for a computer manufacturer, it makes sense to only offer only Windows. On a similar note, Microsoft's enterprise license system bills by the number of computer which could run Windows, not by the number of systems that actually do run Windows. So, to use the enterprise scheme, you still have to pay for a Windows license on any Linux or x86-Solaris machine. This was banned once in 1994 by the consent decree, but it is no longer enforced. What other consent decrees has Microsoft violated? The settlement does not apply to any Pocket PC, Ultimate TV, or X-Box operating system although all claim to be "powered by Windows", use the same 32bit API, and can share many files. The X-Box for instance is a PC with the same DirectX Graphic, Sounds, and general Windows APIs and Microsoft has even advertised it as being very easy to program since it is just like Windows. But, it is not covered under the settlement.

The definition is paraphrased as application software that itself presents a set of APIs which allow users to write new applications without reference to the underlying operating system. Microsoft Java is middleware, but Microsoft.NET and C# are advertised as the next generation Java—yet they are not middleware. Outlook Express is middleware, but a program which does the exact same thing and has a larger API interface, Outlook, is not middleware. And what about Office? For me to run some software, I am required to have a certain DLL included with Office but not Windows. A DLL by definition is middleware, yet Office's DLLs do not apply. Why are some obvious products excluded from being middleware?

For there to truly be competition, Microsoft needs to publish and release the file formats of Office. Office has a near monopoly on any written document, however it runs only on Microsoft's operating systems (x86 Windows and Pocket PC Windows). Microsoft bundles Windows and Office for many OEMs. For any company to enter the business OS space, they need to offer a Office+OS bundles when Microsoft can extend and expand Office to run only on Windows at anytime (like Windows 3.1 on DR-DOS). However, if Office's file formats were public, other companies could make a compatible version of Office and offer a non-Microsoft groupware+OS solution.

In the arena of 3D graphics, Microsoft's DirectX does have some good competition, OpenGL. However, just this month (Jan-2002), Microsoft purchased all of the patents on OpenGL. Will Microsoft now crush this competitor by suing them out of existence? Microsoft has used threat of patent violation lawsuit in the past to drive competition out of business or to force others to not even create their product.

But, what patents does Microsoft own and to what products does think they apply to? The settlement should address patent-product disclosure. Enforcement does not exist in the document. A technical committee can supervise and recommend, to what end? Another five year trial? Penalties, restriction, and yes, even criminal incarceration is needed to prod this company into following the law and their own agreements.

In closing, I am sure others put similar complaints more elegantly, but I am sorely disappointed in the proposed settlement. As a Software Engineer, I can see myself how to get around many of restrictions that will be imposed. Might I suggest, in addition to the restrictive with "letter of law" of which the document is comprised, the proposal should add a plain English "spirit of law" section stating what this document is trying to accomplish. That way, the common person will know when Microsoft violates us again.

Jay Ball
Senior Software Engineer
US citizen, Hoboken, NJ

MTC-00016139

From: vesscular@juno.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:38am
Subject: Microsoft Settlement

I would like to inform you that I am displeased with the settlement brought about against Microsoft. In fact, "against" almost feels like the wrong word. As it is worded now, the settlement proposed could actually help microsoft retain their monopoly for future years. I agree with the statements laid out on this page: <http://www.kegel.com/remedy/letter.html> and feel that at least a few, if not all of these items be considered when there is to be a new proposed settlement against microsoft.

In this time of economic downturn, we can not let a monopoly to continue to stife the market and overcharge for services.

Thank you for your time.
James Markson
Digital Graphic Artist
San Antonio, TX

MTC-00016140

From: Jeff Messner
 To: Microsoft ATR
 Date: 1/23/02 10:39am
 Subject: Microsoft Settlement

To whom it may concern,
 I am writing to express my deep concern regarding the Proposed Final Judgment in the US v Microsoft antitrust case. I've been a professional software engineer since 1995 and have experience developing software on a variety of operating systems, including Windows. In my qualified opinion, Microsoft's current status as a monopoly has caused unimaginable harm to the advancement and innovation of software technology. In my unqualified opinion, I think this monopoly has caused unimaginable harm to the economy of this country, and the entire world. Microsoft was indeed found guilty in this case, therefore, the monopoly must be brought to an end.

If the PFJ is anything but the most absolutely watertight, loophole-free document, Microsoft's infinite riches will pay for the most brilliant legal minds to help them wiggle out of any restriction it seeks to impose. And given Microsoft's behavior during the trial, we all know that they will do this without shame. I'm very concerned that the current PFJ will fail to prevent this from happening. Rather than detailing my specific concerns, I instead refer you to this webpage which serves as an adequate proxy to my concerns. <http://www.kegel.com/remedy/letter.html>

Regards,
 Jeffrey D Messner

MTC-00016141

From: drox
 To: Microsoft ATR
 Date: 1/23/02 10:37am
 Subject: Microsoft Settlement

To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future.

The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for

settlement's sake. A wrong that is not corrected is compounded.

Sincerely,
 J. Mark

MTC-00016142

From: duncan
 To: Microsoft ATR
 Date: 1/23/02 9:58am
 Subject: Microsoft Settlement

I think the microsoft settlement is a terrible thing. i dont have a solution... i think thier solution that offers software and hardware that is valued at what they say it is, only furthers thier monopoly and helps them penetrate one more market, one that they have had a struggle with, schools.

please fight for freedom, in this case.
 duncan shannon

MTC-00016143

From: M Carling
 To: Microsoft ATR
 Date: 1/23/02 10:37am
 Subject: Microsoft Settlement

The proposed settlement is inadequate because because every provision contains gaping loopholes. I will choose just one to illustrate: The requirement to publish APIs is of little value without a similar requirement to publish document formats. Document formats are the more important interoperability interface. Additionally, exclusion of "security" APIs renders the requirement completely valueless. Publishing well-engineered security APIs in no way compromises their security. M Carling CEO, Codeworks

MTC-00016144

From: Jeff Strang
 To: Microsoft ATR
 Date: 1/23/02 10:39am
 Subject: Microsoft Settlement

The proposed Microsoft Antitrust settlement is not a sufficient remedy for the injustices Microsoft has engaged in and is a bad idea.

Thanks and regards,
 Jeff Strang

MTC-00016145

From: John Robert Arras
 To: Microsoft ATR
 Date: 1/23/02 10:39am
 Subject: Microsoft Settlement

Dear Sir or Madam,

I am writing to you about the proposed Microsoft antitrust settlement. I do not believe the company should be broken up, but certain steps should be taken to make sure that neither Microsoft (nor any other company) can hold people hostage to their whims, and they should not be able to prevent other people from expressing their thoughts or writing their own software.

Microsoft should be able to add whatever it wants into its operating system, and it should not have to disclose source code to anyone.

However, it should be forced to sell its OS at one price to anyone who wants it, and once functionality is in the OS, it must not be removed or downgraded. Microsoft should also be able to sell "server" OSes for more money if they have more functionality, but

again the software should be available to anyone who wants it at a single price.

The following two things are more general thoughts that apply to Microsoft, but which can be abused by anyone. Their existence can allow any software maker to exert too much control.

Another danger is the movement from single-time payments for software to software rentals or "software as a service". Companies, including Microsoft, should not be able to declare that their software is only available for rental because that gives them too much power over customers. They can shut off the software at any time. This is too much power for something as essential as an OS. Microsoft should be forced to sell the software at a reasonable price. (No more than several times the yearly rental rate.)

Another weapon that Microsoft might be able to use is the software patent. If software patents continue to exist and if Microsoft gets their other avenues of control shut off, they may be able to use patents to prevent people from writing software. If Microsoft can get enough patents on core ideas, they can prevent smaller companies from making competing software products. This is a problem with the whole software patent system in that it is not possible to make nontrivial software without violating some patents. Thus, a small company that wants to make software cannot stop Microsoft from stealing their ideas because Microsoft can hold patents on so many core technologies that they can just shut down the little company. Using software patents, a small company can make Microsoft stop making a single product, but Microsoft can make a small company stop producing its only product.

The only way software patents help the little guy is if the little guy isn't making software. If he is merely getting patents and then never doing the actual work of making software (since software patents are just vague descriptions of software without the actual work and details (source code) necessary to allow someone to implement the algorithms) then he can drain money from companies doing the actual work. However, this isn't the same thing as making software.

It is my hope that implementing some or all of these ideas will keep Microsoft from controlling too much of the software industry.

Sincerely,
 John Arras

MTC-00016146

From: Brian Moore
 To: Microsoft ATR
 Date: 1/23/02 10:39am
 Subject: Microsoft Settlement

Hi,

The proposed settlement to the Microsoft antitrust case will do little (and very possibly nothing) to prevent Microsoft from behaving exactly as it has in the past. The proposal as it stands will not seriously effect Microsoft's ability to use it's functional monopoly through the Windows operating system to give it illegal advantages in the wider software market. Microsoft as a company has consistently demonstrated the will and ability to twist fair business practices to give

themselves unfair (and sometimes illegal) advantages in almost every major category of software. Doing anything less than splitting them into independent companies will leave them room to twist the terms of the settlement proposal to their advantage in the same way they have twisted many other market factors.

There are rumors that both Sun and Microsoft have "encouraged" large numbers of people to contribute to the comment process. You probably have no way to verify this, so it probably doesn't matter a whit, but I want to state for the record that I have no association with either company and am submitting this comment solely as a result of having read many troubling news items in the past few months that compel me to involve myself in one tiny way in the legal process.

Thanks,
Brian Moore
1600 S. Joyce St.
#1702
Arlington, VA 22202

MTC-00016147

From: Eric Hays
To: Microsoft ATR
Date: 1/23/02 10:37am
Subject: Microsoft Settlement

I think that the proposed settlement is a bad idea.

Eric Hays

MTC-00016148

From: Sullivan, Michael
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:36am
Subject: Microsoft Settlement

Greeting's...

As a knowledgeable and respected administrator of Microsoft goods and services, I have seen/experienced first hand some of the rather questionable business practices employed by Microsoft over the years. Until recently, I have frequently supported and recommended Microsoft as a quality product distributed at a reasonable price, regardless. Lately though, their Development, Licensing and Upgrade policies have thoroughly convinced myself of the criminal nature of the tactics and devices used to stifle competition, increase revenue, and punish current users for not lock stepping directly into the Microsoft doctrine...

Once a company "owns" a market, as Microsoft currently does (Isn't it almost 94% of PC software used world wide ?), they have no real options for gaining new business/income other than re-tapping their current customer base, and eliminating ANY competition. This basically means "Extortion". No that's not too harsh a word.

For Instance...

Business was given a choice on the WindowsXP release... Upgrade to our new (Un-Proven, barely released) software now, for a significant price...Or Upgrade later at an increased price. Either way, Microsoft was going to make billions for the release of software which in my mind, and many others, was not worth the price. Features vs Upgrade cost were not economically feasible nor warranted. Typical "End-Users" were

sold basically "Windows Dressings" (Forgive the Pun) complete with built in monitoring tools and services which allow Microsoft to collect un-precedented amounts of information on it's customer base with no solid guarantees on it's usage...(I read the agreement)

It's become apparent since the findings of wrongdoing by Microsoft, that they are trying to lobby a settlement that is not a punishment. All that I've heard/read so far would indicate an almost favorable reaction by Microsoft, in that goods and services and visibility would actually expand to Microsoft's eventual benefit. This should not be allowed to happen, and I urgently request strong action which will induce Microsoft into changing its "own" policies regarding the intentional domination of competing technologies.

Just think....94% of the worlds drivers all owning the same car, and only one company makes any of the parts....

Michael J. Sullivan
IS/ON2/PDE Support
248-377-7880
sullivmj@frc.com
<mailto:sullivmj@frc.com>
Putting Information In Motion...

MTC-00016149

From: Christopher Matthew Smith
To: Microsoft ATR
Date: 1/23/02 10:39am
Subject: Microsoft Settlement

To whom it may concern,

The proposed settlement between the Department of Justice and the Microsoft Corporation is, by far, letting Microsoft go with a slap on the wrist. More drastic action must be taken to help ensure that Microsoft cannot dominate the computer software industry in an anti-competitive way. Where as many of Microsoft's competitive practices are indeed done in legitimate ways (such as hiring programmers and other people responsible for making competing products away from their employers), other practices are not. Because the DOJ has not actively kept Microsoft in check during the anti-trust suit, Microsoft has increased their market share of personal computers running Microsoft software. Whether major business restrictions or other such actions are imposed, Microsoft must be stopped before they control the computer software industry in an anti-competitive way.

Christopher M. Smith

MTC-00016150

From: John Seals
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:37am
Subject: Microsoft Settlement
Greetings:

I just wanted to add my voice to the rising number of complaints against the proposed settlement the Department of Justice has tentatively reached with the Microsoft Corporation.

Keeping Microsoft in its current state will slow the pace of technology growth, and thereby the US economy if something isn't done. I can't understand how it was deemed necessary to break up the Phone Company monopoly but not the Operating System Monopoly.

This settlement will go a long way in smothering the free market in the Information Technology sector. Microsoft has demonstrated again and again predatory business practices aimed solely at keeping their software and operating systems at the top of the sales charts, but often at the bottom of the performance charts.

I strongly ask that this settlement be re-evaluated and that the Department of Justice consider splitting up this giant Monopoly and letting the free market choose the best product available.

Sincerely,
John Seals
Consultant
Solution Design Group
wk: 651-994-7210

"If the automobile had followed the same development cycle as the computer, a Rolls-Royce would today cost \$100, get a million miles per gallon, and explode once a year, killing everyone inside."— Robert X. Cringely

MTC-00016151

From: Paul and Gail Hein
To: Microsoft ATR
Date: 1/23/02 10:39am
Subject: Microsoft Settlement
Sirs,

I feel that the proposed settlement is not well defined. There are too many parts of it which can be interpreted in different ways. It seems to me that Microsoft can interpret in a pretty broad way. I don't think there is very much limiting about the document. I request that you reconsider this settlement.

Paul Hein

MTC-00016152

From: The Langleys
To: Microsoft ATR
Date: 1/23/02 10:43am
Subject: Microsoft Settlement

I strongly oppose the "Proposed Final Judgment" in the Microsoft antitrust case. There are many, many things wrong with it ranging from poor definitions of technical terms which significantly weaken the impact of the remedy, to virtually no specification of how the remedies should be enforced, the result of which is that the entire remedy is rendered moot and next year we the people will be back in court spending hard earned tax dollars to confront Microsoft's well funded Legal Team (funded by moneys derived from an illegal monopoly). With over twenty years of personal experience developing innovative software products, both in California's Silicon Valley and on Massachusetts' Route 128, two of the countries most innovative regions, I fear that this Proposed Final Judgment will result in the end of an era of software innovation. Microsoft's well documented and now legally recognized stifling of competition and thereby innovation will spell the demise of one of the shining stars of our economy. Too much power has been concentrated in this one franchise to detriment of our entire nation.

I will be cosigning the excellent review offered by Dan Kegel at <http://www.kegel.com/remedy/letter.html> which does an excellent job detailing many of the

weaknesses of the current proposal. Please, I cannot stress enough, this judgment is flawed and the impact of passing it will have a monumental result on one of our nation's most valuable treasures, our ability to innovate, do not allow this judgment to proceed in its current form!

Sincerely,
John Langley
205 South Merrimack Rd.
Hollis, NH 03049

MTC-00016153

From: aric@mail.codeweavers.com@inetgw
To: Microsoft ATR
Date: 1/23/02 10:37am
Subject: Microsoft Settlement

I am a software developer and I feel that the currently proposed settlement is a VERY BAD IDEA.

The settlement does nothing to address the issues of Microsoft as a Monopolistic power and simply serves to strengthen their market position. Please reject the settlement.

-Aric Stewart
aric@codeweavers.com

MTC-00016154

From: Brian Stevens
To: Microsoft ATR
Date: 1/23/02 10:37am
Subject: microsoft settlement is wrong

Dear Sir or Madam:

The proposed settlement put forth by the Department of Justice is not nearly enough to remedy the damage done to the computer/software industry. Microsoft exists as it is today for no reason other than the extensive manipulation it has wreaked on the industry. In order to provide an environment where innovation can flourish and where users have a choice of software, microsoft must be severely penalized. Even as the government's case against Microsoft is proceeding, the company thumbs its nose at justice by releasing even more software that will further cement their stranglehold on the market and is clearly aimed at extending their grip to other sectors. Please do what is necessary to stop Microsoft from stealing any more of my freedom.

Sincerely,
Brian Stevens
Lebanon, NH 03766
Brian Stevens
HB 7560
7200 Vail Building
Dartmouth College
Hanover, NH
USA

MTC-00016155

From: Jeremy Gebben
To: Microsoft ATR
Date: 1/23/02 10:39am
Subject: Microsoft Settlement

To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future. The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing

its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions. Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,
Jeremy Gebben

MTC-00016156

From: Mark Halegua
To: Microsoft ATR
Date: 1/23/02 10:39am
Subject: Microsoft Settlement

To Whom It May Concern:

After reading the settlement of the MS vs DOJ case I feel compelled to respond. The settlement is way too soft and favors Microsoft, essentially rewarding them for anti-competitive behavior. It allows MS to control hardware vendors in the same ways as before, it allows MS to continue to hold captive users by controlling the hardware vendors, and gives them too much control over the committee which supposedly oversees their activities.

MS should have NO people on the committee they suggest or desire. All oversight committee members should in fact be selected by non-MS (perhaps all should be selected by anti-MS) computer industry experts, including the academic, legal, and open source community.

MS must make ALL API information available immediately upon creation. MS should not have even one (1) day of advantage on API calls. Dissemination of API calls should be through the internet on their own web pages (in easy to reach, not hidden or layered areas) and on public web pages, i.e., Freshmeat.com, IDG.net, and other open news web pages. Further, all industry news (i.e., Computerworld, Infoworld, PC Magazine, etc.) outlets and their associated internet outlets must also receive this information.

MS must NOT be allowed ANY time advantage regarding the API calls. A mechanism must be set up whereby a user purchasing a system with Microsoft Windows Operating Systems may return the Operating System to either Microsoft or the hardware vendor and receive, within 60 days of said return and request of payment, payment equivalent to the payment made to MS for the OS. The EULA currently states a user may do this, but no mechanism exists and MS and the hardware vendors do NOT make refunds for the OS.

The situation exists that a computer user wants to use an Operating System (OS) not made by Microsoft, but wants a computer from a vendor where the computer only ships with a Microsoft OS. The user is forced to pay for the OS, even though the user will delete the MS OS and install another OS (i.e., Linux, Unix, FreeBSD, etc.). The End User License Agreement (EULA) states the user may request a refund for the OS if not used, but neither MS nor the hardware manufacturers abide by the EULA. Setting up a mechanism where they are forced to do so, and abide by the EULA.

MS must also be disallowed from in ANY way modifying pricing of product to different vendors. Pricing must be uniform, as this is a method of controlling vendors. The current settlement agreement leaves too much leeway in pricing and thereby still allows MS to use pricing as a weapon against vendors who may want more control over how they install MS products on their systems.

There is so much more wrong with the settlement I wonder if the DOJ didn't make a backdoor deal with MS for items and issues the government doesn't want the public to know about, like government backdoor access to the OS for law enforcement and other items. The settlement as currently proposed punishes MS for anti-trust violations not at all, and Microsoft's behavior over the last 10 years has harmed the industry and the public. Contrary to their claims of innovation, MS innovates not at all, they copy other company's innovations, and generally copies them poorly. They have cornered the desktop OS market (over 90 percent) and the desktop office suite market (over 80 percent), they have cornered these markets using illegal and anti-trust violation, and the settlement does little to correct these issue and nothing to punish MS.

Mark S. Halegua
FarSight Data Systems
Information Technology Consultant

MTC-00016157

From: Saul Farber
To: Microsoft ATR
Date: 1/23/02 10:38am
Subject: Microsoft Settlement

To whom it may concern,

I am writing to express my concern that the settlement between Microsoft and the DOJ is not in the public interest. Particular disturbing is the clause which requires Microsoft to open it's APIs in exchange for a license "on reasonable terms." What are the implications of this clause for the free software movement? There is a large "grassroots" organization of computer programmers who invest their own time (for NO pay) in order to make powerful software available for FREE to businesses like IBM, Sun and Oracle. These free software products need to be provided the specifications and information to interoperate with Windows and other Microsoft products, in order to provide for the possibility of successful free software products with Windows.

Thank you for your time,
Saul Farber

MTC-00016158

From: channic@kcco.com@inetgw

To: Microsoft ATR
 Date: 1/23/02 10:37am
 Subject: Microsoft Settlement
 To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future. The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions. Most important, the proposed settlement does little to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

Sincerely,
 Tom Channic
 Mokena, Illinois

MTC-00016159

From: matt(a)mattleonard.com
 To: Microsoft ATR
 Date: 1/23/02 10:37am
 Subject: Microsoft settlement

Regarding the Proposed Final Judgement (PFJ) in the Microsoft anti-trust case, I must say that I find many aspects of it disturbing and insufficiently stringent in terms of holding Microsoft accountable for illegal practices. To pick just one, not requiring Microsoft to pay significant fines for years of "ill-gotten" gains is astounding. When a company is found guilty of abusing its monopolistic power to become even more rich and powerful, they should be heavily fined. Time and again, monetary penalties have been used to good effect to demonstrate to wrong-doers that their actions will not be brooked and this is an excellent time to do just that.

Thank you,
 Matt Leonard
 Denver, CO
 matt@mattleonard.com
 http://mattleonard.com
 A little nonsense now and then is relished by the wisest men.

We are the music makers, and we are the dreamers of dreams. —Willy Wonka

MTC-00016160

From: Mike Courington
 To: Microsoft ATR
 Date: 1/23/02 10:39am
 Subject: Microsoft Settlement

I think the proposed settlement is a bad idea. It does not punish Microsoft in any lasting way that they can't get around eventually, whether through "careful

interpretation of the law", intense lobbying, or creative spending. If they get away with this now, there will be no stopping them in the future.

Once again, I think the proposed settlement is a BAD IDEA.

Mike Courington

MTC-00016161

From: Stefan Gagne
 To: Microsoft ATR
 Date: 1/23/02 10:37am
 Subject: Microsoft Settlement

As a citizen of Maryland, I wish to register my complaint. I do not approve of the current settlement; it does not place sufficient penalty on the shoulders of Microsoft and will allow the monopoly to continue to abuse its power in the marketplace.

-Stefan Gagne
 Boyds, MD

MTC-00016162

From: ascott@humana.com@inetgw
 To: Microsoft ATR
 Date: 1/23/02 10:39am
 Subject: Microsoft Settlement

The current Microsoft Settlement proposal is a bad idea. I strongly urge the court to not accept this settlement proposal. The settlement agreed to between Microsoft the and Federal Government is a ruse. It amounts to nothing more than a skillfull manipulation of the justice system by Microsoft to turn a potential punishment in a reward. By providing this so-called billion dollar donation of equipment and software (mostly software) to schools, Microsof is doing two things:

1. Ensuring their monopoly continues and even grows by locking the educational market, previously a bastion of diversity between Apple and Microsoft, onto their products.

2. Escaping punishment by providing billions of dollars in software licenses, a product which has market value, but is of absolutely no actual cost to Microsoft.

Thank you,
 Andrew Scott
 Louisville, KY

MTC-00016163

From: Curtis Simonson
 To: Microsoft ATR
 Date: 1/23/02 10:39am
 Subject: Microsoft Settlement

Hello,
 I am writing to tell you of my displeasure for the proposed Microsoft Settlement. I feel that the wording is too loose, allowing Microsoft to keep practicing it's Monopolistic ways. Please mark me down as objecting to this settlement.

Thanks
 Curtis Simonson
 InterOperability Lab
 Bridge Functions Consortium
 (603) 862-3525

MTC-00016164

From: Jason L. Shiffer
 To: Microsoft ATR
 Date: 1/23/02 10:34am
 Subject: Microsoft Settlement

To whom it may concern,

I personally feel that the settlement that you are making with Microsoft Corp. is severely lacking. I am a long time computer professional and have been appalled by the utter disregard for the law that Microsoft has taken when attacking it's competitors.

I understand that many believe that we should get this behind us, that we should hope that by letting Microsoft go this time we can stimulate growth. However this would be a mistake. We cannot let a tyrant off the hook because it benefits us in the short run. Please reconsider the settlement and go after tougher restrictions on Microsoft's future actions.

Thank you,
 Jason L. Shiffer
 1214 Ware St.
 Vienna, VA 22180
 703-242-9624

MTC-00016165

From: Jeremy McMillan
 To: Microsoft ATR
 Date: 1/23/02 10:48am
 Subject: Microsoft Settlement

I am a computer system administrator with a professional interest in compatibility issues between computer systems. My name is Jeremy McMillan, and I live at 3537 N. Wilton Ave. Apt. #1, Chicago, IL 60657. I think that the antitrust violation settlement proposals submitted by Microsoft are inadequate, and in some ways counterproductive. Overly narrow definitions of "API" for disclosure will legally entrench Microsoft's current stranglehold on software development and the omission of restrictions on hardware OEM contract terms leaves Microsoft in more stable monopoly power than before the initial antitrust filings.

Please list me as a cosignor of the Dan Kegel comments entitled "Open Letter to DOJ Re: Microsoft Settlement."

Jeremy McMillan <aphor@speakeasy.net>
 CC:petition@kegel.com@inetgw

MTC-00016166

From: mring@dotech.com@inetgw
 To: Microsoft ATR
 Date: 1/23/02 10:39am
 Subject: Microsoft Settlement

To whom it may concern; pI oppose the proposed Microsoft Settlement, as it is currently written. I believe that the proposed settlement is weak in both its punitive and preventative content. The most serious problem that I see with the proposed settlement is that it does not seem to provide any relief for competitive operating systems and applications that seek to be (somewhat) compatible with Microsoft Windows. Indeed, it appears that Microsoft will be able to continue its use of legal and licensing policies to erect barriers to free competitors, such as Linux, Samba and WINE.

I urge you to modify the proposed settlement to include specific prohibitions against any Microsoft practices that erect artificial barriers to entry for competitive operating systems and applications that seek to be compatible with Microsoft Windows.

These prohibitions should, at the least, bar Microsoft from:

- 1) Creating and/or enforcing end user license agreements (EULAs) that prohibit

users from running the licensed software on non-Microsoft operating systems and Windows compatibility applications. I think computer users in the United States should be allowed to run Microsoft Outlook, Internet Explorer or even Excel under Linux and WINE if they want.

2) Prohibiting the use of Microsoft's public API documentation by competitors to enhance the Windows compatibility of their products. This is needed to support both competition in the office productivity software space as well as the operating system space. What's the point of providing documentation to developers, if then they are not allowed to use the information provided? In closing, I hope that my comments have helped convince you that, without modification, the proposed settlement with Microsoft does not adequately protect the US consumers who have been harmed by the company's past anti-competitive actions.

Thank you.

Matthew S. Ring
Software Engineer
Rochester, NY

MTC-00016167

From: Jason Grider
To: Microsoft ATR
Date: 1/23/02 10:39am
Subject: Microsoft Settlement

The proposed settlement is a truly bad idea

Jason Grider
IS Manager
Fiskars Home Leisure—Opelika
jgrider@fiskars.com

MTC-00016168

From: Law Albert-Y17934
To: "microsoft.atr(a)usdoj.gov"
Date: 1/23/02 10:40am
Subject: Microsoft Settlement

Hello,

I wish to voice my opinion about the Microsoft (herein referred to as MS) settlement. However, a summary of my thoughts would be "the USA justice system has no teeth". I must expound, but I shall keep it concise.

The beginning of this trial saw MS accused of unfair trade practices. The middle saw MS guilty of monopolistic practices. At this point, one may point to the fact that monopolistic practices are illegal. To do so would be to rein down justice from the Department of Justice (DOJ). Many companies and involved employees found this reassuring. An illegal practice was found to be harmful to competition and to US citizens. Justice was going to be done.

The debate of the possible remedies was understandably long. MS is a very large company. Any impact on them might be too sweeping to remedy the main problem—unfair trade practices. The past has shown many drastic remedies. AT&T was broken up. IBM was forced to do business in a fundamentally different manner. The past showed that justice was not only brought upon the small companies. No one company was above the law. No one company could be side step the remedy and continue with their unfair trade practices. Competing companies, involved employees, and the

faceless citizen were all thought of as the victims. The victims were given justice. Moreover, each company survived the remedy regardless of their turmoil. A remedy was not a poison pill.

However, I feel that justice will not be done, the wronged will not be righted, and MS will not change in any manner. The current proposed remedy is much too light on MS and doesn't even start to address the concerns of the competition nor those affected. Indeed, the remedy is full of loop holes. Moreover, it does not restrict MS's ability to continue its unfair trade practices in the future. One can easily expect MS to illegally leverage its way into other competing markets with the exact same business strategy. Nothing will change, but there's everything to lose.

I am aware that my opinion is not very forthcoming with facts and the such. Though I can be more articulate and supportive in my statement, I find that there is enough legal and technical opinions from the States who oppose the current proposed remedy. They make very good arguments. I sympathizes with them. Regardless, my main objection to this remedy is that there is no perception of how this will stop MS from continuing to act illegally or how this will compensate the wronged. Both are quite flimsy at best. I support a hefty cash fine on MS in the tune of billions. Similarly, I support restricting MS's business actions with a government body who can unilaterally impose fines on MS or cancel any and all MS trade contracts with any company. Lastly, I support opening up competition for offending MS products by fragmenting MS into at least 3 different and independent entities. These products would include but would not be exclusive to: MS Windows 2000, MS Windows XP, MS! !

Windows CE (aka: Pocket PC), and MS Windows 9x (including MS Windows Whistler). These remedies are quite harsh, but I find that MS's conduct and attitude in this trial was equally but conversely light. Justice must be done. The DOJ must restore confidence in the justice department. The wronged must feel righted. US citizens cannot be oppressed in such a manner as to stifle innovation and competition.

Albert Law
Programmer
Motorola

MTC-00016169

From: bob
To: Microsoft ATR
Date: 1/23/02 10:38am
Subject: Microsoft Settlement
To Whom It May Concern,

I feel that the current settlements proposed to remedy the Microsoft Anti-trust settlement are not going far enough. What essentially is happening is that they are not even receiving a slap on the wrist for criminal action.

For Microsoft to make suggestions to settle the case would not be prudent. Microsoft has shown from its past actions that it cannot be trusted.

Microsoft has ZERO accountability in their guarantee of software quality. This would not be as great of an issue if their software was not in virtually every home and office desktop. Unfortunately, their stronghold on

computers available for us to purchase at the local store virtually forces us to buy their products. If MS Windows crashes, and am lose irreplaceable work worth money, can't Microsoft be liable for these damages? If virtually everybody drove Ford cars with Firestone tires, and those cars crashed at a rate of twice a day, I am sure that Ford and/or Firestone would be held accountable. To make matters worse, it seems as if a substantial part of their revenue comes from the "support" of their products. I am not asking for Microsoft to open their source code, or anything of the like. None of that will not so us any good. Plenty of good software is already written by non-Microsoft companies and individuals. I am asking that Microsoft be watched, or even regulated as any large company/utility is. I am asking that there be a Federal Department overseeing single companies with more than 50% market share of any single software arena. This can range from Operating Systems, to Office Productivity suites. If the same company has the greatest market share in more than one category, then they should be watched on both fronts by separate entities.

Please ensure that a settlement not only punishes Microsoft for their anti-competitive behavior, but also prevents FUTURE anti-competitive infractions. Microsoft can be seen rearing a bad seed: they will continually test their limits with authorities, and if their acts go unpunished by those in charge, they will continue to act the way the have, only this time they will push their limits even more. Please keep in mind, Microsoft did not become #1 because of their "quality software." they became #1 by ignorance, intimidation, and brute force. America's technological future is at stake.

Sincerely,
Bob Alvarez
Software Consultant/Human Factors
Engineer
Chicago, IL

MTC-00016170

From: Patrick Earnest
To: Microsoft ATR
Date: 1/23/02 10:40am
Subject: Microsoft Settlement
To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future. The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a

"punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

A better settlement would include one of the following:

1) Microsoft having to open up all its APIs to anyone who may request them, with a severe penalty for nondisclosure.

2) A breakup of Microsoft

3) Being forced to give all versions of MS Windows prior to a settlement into the public domain.

4) A fine in the area of \$30 billion dollars.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,
Patrick Earnest
Chicago, IL

MTC-00016171

From: Steve Holdener
To: Microsoft ATR
Date: 1/23/02 9:30am
Subject: Microsoft Settlement
To whom it may concern:

Providing *choice* in operating systems and productivity applications (such as Word and Excel) is the only way to truly free the public from Microsoft's monopolistic stranglehold. There are applications available for Windows as well as other operating systems which would suit most users' needs quite well. Unfortunately, Microsoft's market share is so great, many computer users feel that sending Word or Excel documents is a "standard" form of communication. Some projects have attempted to decode the secret formats of these files, but none have done so perfectly, and Microsoft tends to change them every few releases to ensure that this moving target is never hit. As long as these documents remain unreadable to other applications, users wishing to communicate with others (especially when in a supplier or vendor mode) are forced to use Microsoft

products. They often, in turn, rely on these same mechanism for communicating with others. This effectively creates a word processor market, for example, open only to applications which can perfectly read and write the Microsoft Word file format. Of course, there is only one such application available.

To provide true freedom of choice for Americans, Microsoft-software-generated files must conform to an open standard, allowing other software to correctly read and write in the same format used by the Microsoft products. This is certainly feasible today; the recommended format would be XML, which is easily read on any computing platform. Therefore, I would recommend an addition to the section entitled "III. Prohibited Conduct":

To provide interoperability with non-Microsoft applications, Microsoft shall not use proprietary or closed formats for documents generated by its word processors, spreadsheets, and presentation applications (like PowerPoint). Rather, standard formats, agreed upon by an independent standards body, of which Microsoft will be a part, shall be used for the persistence or transmission of any of these documents.

Thank you.

Steven Holdener
1529 Louisville Ave.
St. Louis, MO 63139

MTC-00016172

From: Pete Loshin
To: Microsoft ATR
Date: 1/23/02 10:42am
Subject: Microsoft Settlement
To: Renata B. Hess
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

This message is my personal comment on the proposed Microsoft settlement. Very briefly, I believe this settlement is NOT in the public interest, and can only serve to

strengthen rather than weaken, Microsoft's monopolies.

Not only will it be ineffective in remedying the harm done by Microsoft's business practices in the past, but it will likely assist Microsoft in the future as it seeks to increase its market share. Microsoft's licensing practices, in particular the way hardware vendors are required to bundle Microsoft software with new PCs, as well as limited in their practical ability to sell hardware unbundled, tend to artificially inflate hardware costs. Purchasers of hardware must pay for Microsoft Windows whether they plan to use it or not.

Further, the provisions of the proposed settlement that give commercial ventures preference over non-commercial ones is a clear threat to Microsoft's most recent—and most threatening—competitor: the open source software community.

The public interest can not be served by allowing any corporation to control what software or hardware products I use as long as I respect that corporation's intellectual property rights; neither is the public interest served by allowing Microsoft to not only avoid any negative consequences from its actions but to reward it by allowing it to draft its own settlement.

In large part, I agree with Dan Kegel's assessment and his suggestions for improvement, as expressed in his open letter (see <http://www.kegel.com/remedy/letter.html>).

I am a US citizen, as well as an independent writer covering technology and computing. My column on open source software appears monthly in Computer Power User (CPU) Magazine.

submitted respectfully,

-pl

Pete Loshin
41 Brand Street
Arlington MA 02474
Pete Loshin pete@loshin.com
+1 781/646-6318
www.Internet-Standard.com
writing about Internet protocols since 1988